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THE

WILTSHIRE

Archæological and Natural History

MAGAZINE,

Published under the Direction of the Society

FORMED IN THAT COUNTY A.D. 1853.

VOL. XIII.

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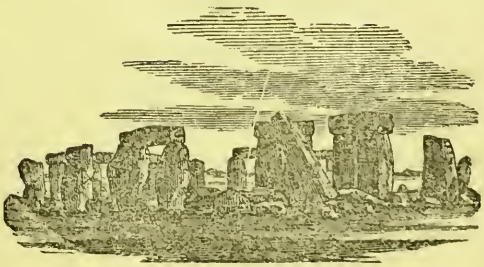

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Members who have not paid their Subscriptions to the Society *for the current year*, are requested to remit the same forthwith to the Financial Assistant Secretary, Mr. William Nott, 15, High Street, Devizes.

Some of the early Numbers of the Wiltshire Magazine are out of print, but there is a supply of other Numbers which may be had by persons wishing to complete their volumes, by applying to Mr. Nott.

NOTICE TO MEMBERS.

The Annual Subscriptions (10*s.* 6*d.* payable in advance, and now due for 1871), should be sent to Mr. William Nott, Savings Bank, Devizes, to whom also all communications as to the supply of Magazines should be addressed.

All other communications to be addressed to the Honorary Secretaries: the Rev. A. C. Smith, Yatesbury Rectory, Calne; and Mr. Cunnington, St. John's Court, Devizes.

***The Numbers of this Magazine, will not be delivered, as issued, to Members who are in arrear of their Annual Subscription: and who on being applied to for payment of such arrears, have taken no notice of the application.

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WILTSHIRE MAGAZINE.

"MULTORUM MANIBUS GRANDE LEVATUR ONUS,"—*Ovid.*

THE SEVENTEENTH GENERAL MEETING OF THE Wiltshire Archæological and Natural History Society, HELD AT WILTON,

Wednesday, Thursday, and Friday, 14*th*, 15*th*, *and* 16*th September*, 1870.

PRESIDENT OF THE MEETING,

CHARLES PENRUDDOCKE, ESQ.

THE proceedings of the Seventeenth Anniversary Meeting of the Society opened at the Town Hall, Wilton, when the attendance of the members and friends of the Society was unusually large. At two o'clock the newly elected President of the Society, Charles Penruddocke, Esq., of Compton Park, took the chair, and addressed the company as follows:—

Ladies and gentlemen,—As President of the Wiltshire Archæological and Natural History Society, I find that it is expected that I should open this meeting with an address. I do so with the understanding that you will treat my efforts as leniently as you can —spare your criticisms, and kindly make an effort to listen to me. You are aware that we are assembled for the purpose of holding the seventeenth annual meeting of the Society. In the report, which will be presented to you, you will find that this Society, which was started on a very satisfactory basis, has gone on for seventeen years, "not dragging its slow length along," but progressing rapidly and purpose like to the end which it is its object to attain. You all know that end and object. It is to collect and retain in an imperishable form the complete history of our county. But, unlike most histories, we are not content with giving the references to

where we obtained our information—we endeavour to give the information *in extenso,* and with all those details which come so pleasantly home to our understanding. Without confining ourselves to the pre-historic age, or the latest mediæval discovery, we endeavour to place before the members of the Society, in a readable form, papers on every subject which may elucidate or render clear the ages which are not to come again. It has been thought by some that the labours of the Society ought soon to cease, and that its subjects are nearly exhausted; but in answer to this I fearlessly say —we are only beginning really to verify and complete the discoveries of ancient archæologists, and to open out further reserves of treasure, which have lain unapproached for centuries. A remark made to me many years ago, by my excellent friend Canon Jackson, is very applicable to the study of archæology—"omit to remember nothing, not even a Christian name, or obscure expression, in your labours, for by small means is the story produced." It was rightly said by a noble president of the Society, Lord Herbert, that Macaulay, in his History of England, contrived from the ballads and trash of the day—materials mean and meagre in themselves—to group together such a picture as never was placed before us by any other writer, of the manners and customs of our forefathers, at a very interesting period of English history. By the unobtrusive labours of individuals we become possessed, as a body, of a great and important mass of materials, which renders intelligible to us many things, which otherwise would remain obscure or traditionary. So we follow Macaulay's plan, and seek everywhere for information, for the humblest individual can add to our store, while through the kindness and liberality of friends and members we have access to the most valuable documents and historical archives. It is a source of gratification that in a Society like ours, among whose members we have the honour to number the highest families in the county, whose patron, presidents, council, and secretaries, all take a warm interest in its welfare, we have admission to their archæological treasures. That the desire for knowledge of a past age is on the increase is apparent to anyone who has observed the stream of people pouring into the Kensington Museum, or the numbers studying in

the reading-room of the British Museum. It is obvious that the public of the present day seek greedily for this class of information. They like to know what their ancestors have done before them, and to understand and compare the past with the present. The natural aim of a Society like this is to encourage and foster studies which we think are neither useless nor vain, and we may be satisfied that in releasing and bringing to the light objects of interest from the accumulated dust of ages, we not only improve our own minds, but very much establish history. Let no one be discouraged in his search for antiquity, for who knows whether in his walks he may not stumble upon the site of a Roman dwelling, or the remains of a Druidical circle, or find in the troubled aspect of the ground beneath his feet the uneven burial-ground of a great army. It is from small things we rise to great. The mere household books of a family, whose "local habitation and name" is almost forgotten, will oft'times afford an ample indication of the style of the age in which it lived, while furniture, pictures, china, buildings, ornaments, and even dress, if preserved, most surely give us the period when they were used. Talking of dress reminds me that at a previous meeting my learned friend the Recorder of Devizes, Mr. Merewether, descanted most eloquently on the "head-gear of the ancients," and amused the company by a discourse upon bonnets in vogue amongst the ladies half-a-century back. His humorous style was so much appreciated by his audience, that I trust he may be persuaded to give us a specimen of his ability another time. While we pursue our labours, and try to increase the store of our Archæological Magazine, I hope that we shall never forget the men who have gone before us in the work—the pioneers and founders of our county history. We cannot but look back with a more than kindly feeling on the memory of such men as Sir Richard Hoare, the polished historian of Wiltshire; of Aubrey and his quaint researches and erratic style; of the earnest-minded Britton and his significant brusquerie; of Penruddocke Wyndham, who more than eighty years ago wrote his "Wiltshire," which he desired should prove "a prelude to the county history;" of Sir Thomas Phillips, and his most useful collections; of Moffatt, Bowles, and Nichols, Benson, and Hatcher

—all men who have contributed largely to the history of our county. Let me not forget to mention a distinguished member of this brotherhood, who is now living, and who has done me the great honour to be present here to-day to support me at this my first appearance amongst you as your president. I mean Mr. Matcham, of New House. Nor will I omit to notice those following in their footsteps, and most usefully cementing their labours, who have taken great trouble in behalf of the Society, and who deserve our respect and gratitude. Of their work I may say—

Si monumentum quæris circumspice.

Allow me here, at perhaps not an inopportune moment, to make the remark that I think it might be advisable, now that so much and varied information has been collected towards the formation of a county history, to put all the papers which treat of one subject together. At present the information appears to the general reader to be scattered through a number of volumes, and he has to seek for it by means of an index. As a suggestion, I would propose that the subject matter belonging to each hundred be collected under that hundred, the history of the different parishes falling into their places in that hundred. There will be a difficulty about this, I feel, as the parochial histories are not yet entirely written, although most excellent examples have been set us by Mr. Wilkinson and others; and besides, it is not by any means certain that everything which can be said of each parish, has been said. Those excellent papers on "Ornithology," and the "Flora of Wiltshire," would probably have to form a volume each by themselves, as they treat of the birds and the flowers of the county generally. So also such interesting papers as those on the "Forest Trees of Wiltshire." It has occurred to me, and I merely throw it out as a suggestion, which may perhaps be acted upon hereafter, that the Society might form, by means of photography, a very interesting and valuable collection of the "Worthies of Wilts." We cannot have the original portraits, but we (with the permission of the owners) may have copies on a reduced scale, which, though, from want of colour, will not quite satisfy the eye, yet would be sufficiently pleasing and accurate to

amply repay the moderate cost of their production. I will now turn to the subject of our present meeting. It might be asked, Why did we choose Wilton as our place of congress? Well, the fact was simply this, that wishing this year to meet in the South of Wilts, after last year's gathering in the North, two places were proposed, viz., Westbury and Wilton. It was considered that Wilton and its "surroundings" offered a greater attraction to archæologists than Westbury and its iron works, and many minor, but important circumstances induced us to select Wilton, and to explore such portion of the district as had not been fully visited, and to provide papers on such subjects which might prove new to those who attended the meeting. On another occasion we hope to be fortunate enough to include Trowbridge and its district with Westbury, when I have no doubt we shall have an instructive and agreeable assembly. As you will see by our programme, a very tolerable three days' amusement is now provided for you, and I trust that every one will be satisfied with the bill of fare. The Society is greatly indebted to the Mayor of Wilton (William Robson, Esq.), for the encouragement he has given us, and for his kindness in placing the Town-hall at our disposal, while the inhabitants of this ancient town are most anxious to show us attention. You will hear an able paper on Wilton Church, which we inspect, by Mr. Olivier, and a paper on the trial and execution of my loyal, but unfortunate ancestor, Colonel John Penruddocke, by Mr. Ravenhill. Perhaps this account may be interesting to the Archæologists of Exeter, many of whom are here to-day, for in their city he was beheaded. I shall have certain relics of this royalist to show you when you visit me to-morrow. Wilton House, through the courtesy of Lady Herbert, is open to our inspection, and we shall find ample food for thought in the fine collection of statuary, the splendid armour, and magnificent portraits, by Vandyke, of the Pembroke family. At the time of writing these lines, I received the news of the loss of our turret ship Captain, and that with her were engulphed nearly 500 souls. God, and time alone, must console the mother for the loss of her son Reginald, who went with the rest to his grave. Lady Herbert may be assured that she has the sincere sympathy of

myself, and everyone in this room under her severe loss. I fear that under the circumstances we must put off our visit to Wilton House. It would be indelicate to intrude upon Lady Herbert's privacy at this moment. The historical reminiscences of Wilton House are immense, and cannot be satisfactorily enlarged upon in a short address, but I trust that an abler pen than mine will sketch for you the principal events in which members of the house of Pembroke took part, while in the memory of us all we know how Sidney Herbert has added to the lustre of his family by merits peculiarly his own. Time will not permit me to dwell upon the many points of interest to be met with at Wilton, but I shall endeavour very briefly to draw your attention to its history. Once the chief town in Wiltshire, its monastic history alone is fraught with interesting episodes, and details of conventual life, but practically we find that after the dissolution of the monasteries, in which Sir William Herbert (the first earl of Pembroke of the name of Herbert) took no small part, and certainly reaped a benefit, the way was opened for a progressive course of national improvement, which was rather impeded than otherwise by the narrowed ideas of men constantly immured within their convent wall. Wilton lays claim to attention as having been the residence of King Egbert, who came, as the old chronicler recites, to dwell "nine long winters in rest and peace," and that of his successors, who frequently lived there. It was in those days "a good town, and resorted to by much people." In the reign of Edgar the attractions of the place caused the king in his progress from Shaftesbury to Winchester to stop there; for, says the chronicler,

> "He came to Wilton at the last,
> And a new fair church saw he,

And he also appears to have seen in the church a baron's fair daughter, in whom he took a very lively interest. A daughter of the fair Wulfrith at the age of fifteen became Abbess of Wilton, and was as celebrated for her skill in singing, writing, painting, embroidery, music, and sculpture, as for her meekness, charity, and self-denial. The Danes, as a matter of course, could not leave Wilton alone, and its monastery suffered from their lawless incursions, but on the

return of the Saxon this religious house was rebuilt in stone by Editha, wife of the Confessor. In 1066 Wilton was considered to be the first and most valuable of the Royal boroughs, and its contributions to the Norman Conqueror appear to have been more than double those which it yielded in the time of the Confessor. In the disturbed years which followed the Conquest Wilton suffered, and the Abbey had often to contribute largely to satisfy the extortionate demands of the Normans. In the reign of Stephen the Empress Maud sojourned at Wilton in regal state, till her royal husband arrived there with a large force to convert the Monastery into a place of military defence, to restrain the excursions of the garrison at Salisbury. But while the fortifications were yet in progress, the Salisbury people, under the Earl of Gloucester, invested and took the place, and the King fled. I am sorry to find from the old chronicle that the people of Salisbury behaved very rudely on this occasion, for they sacked the Monastery, set fire to the town, and walked off with all the plate and valuables, together with the personal baggage of the monarch. Wilton appears, however, to have survived this bad behaviour, and, not having proved quite successful in war, to have betaken herself to the arts of peace, although the military spirit of the age tinctured even her sports. The glowing accounts of the conflicts on the plains of Syria, in which, without doubt, some of the citizens were bearing their part, stimulated them to keep up the pomp and pageantry of war, if not the reality. In the year 1194 a tournament was held in the vicinity of the town, which appears to have given infinite satisfaction alike to peasant and to peer. Thirty-five years later we find the town of New Sarum springing up around the "holy pile" which was gradually expanding to beauty in the "Ladys Mead," and unfortunately for the trade of Wilton its merchants adopted the new city as offering a more expanding market for their wares. This appears to have aroused the jealousy of the people of Wilton, and caused them to adopt the very novel method of sending their bailiffs to waylay these merchants and to compel them to expose their merchandize for sale in the market of Wilton. Such a state of things could not last without remonstrance, more particularly as when the merchants

opposed this measure they were soundly cudgelled into submission. All this caused a great deal of bad blood, and legal enquiries were made into the matter of this contest between Wilton and New Sarum. Nearly a century elapsed before it was put an end to by the issue of a proclamation, which defined the days on which the inhabitants of both places were to hold their markets. But the trade of Wilton from this time began to decline, and later on, in 1349, a frightful pestilence fell on the town, and destroyed at least one-third of the inhabitants. In the fifteenth century, curiously enough, there appears to have been a good trade in beer, and we find the brewers quarrelling for priority to supply the public wants. Indeed, in 1464, the then Mayor of Wilton was obliged to step in and effect a reconciliation of the fractious brewers, by ordering that five should brew on Monday, five on Wednesday, and four on Friday, weekly. During the Wars of the Roses, Wilton apparently remained indifferent and apathetic, though stirring events were taking place in England, and levies of men and materials were made in Wiltshire. Come we now to the reign of Henry VIII., by whose orders the religious edifices of Wilton were dissolved. The monastery of Wilton accepted its dissolution quietly, and gave no trouble whatever, but surrendered on the 25th March, 1539. Pensions were provided for the abbess, prioress, nuns, and officers of the establishment. The abbess retired to Fovant, a village through which we shall pass in our excursion to-morrow, and we read of one of the dispossessed nuns, whose name was Alice Langton, passing the remainder of her days at Ugford, near this town, at the residence of the Reve's motherless daughter, Laura Wodeland, who had been a pupil of the grateful nun. I believe that the house can be pointed out to this day. Incidents like this are small, but they give an interest to persons and places, which time is unable to efface. Upon the site of the ancient church of St. Edith has risen the noble edifice of the Pembroke family, completed in the reign of Edward VI., under the conduct of Hans Holbein. In 1551 Wilton was honoured by a visit from the then youthful monarch, who was travelling in the western counties for a change of air, as we should say in modern parlance. England's virgin Queen paid a visit to

Wilton in one of her royal progresses, probably as much for matters of state policy as personal enjoyment. She is described during her visit as being "both merrie and pleasante." Wilton becomes linked with the memories of Philip Massinger, Sir Philip Sidney, and Shakspeare, while the delightful imagery of Spenser, in his "Faëry Queene," might well have been inspired by the lovely scenery around him—

> It was a chosen plott of fertile land
> As if it had by Nature's cunning hand
> Bene choycely picked out from all the rest,
> And laid forth for ensample of the best.

Amidst these pastoral scenes arose the modest church and home of George Herbert, a kinsman of the Earl of Pembroke. We may fairly infer that Isaac Walton, the celebrated angler, who wrote the life of his friend Herbert, had often stopped at Wilton to ply his gentle craft on the waters which run so rippingly through the town, and that he met beneath the roof of the parsonage the worldly-minded and ambitious Lord Herbert of Cherbury, who wrote the life of King Henry VIII. In the August following his accession to the throne—A.D. 1603—James the First visited Wilton House, where he was royally entertained by the third Earl of Pembroke, and on the 6th October of the same year till the 29th, both the King and Queen paid a second visit, and held their court there. His Majesty further paid a visit to Wilton in 1620, for the purpose of visiting Stonehenge; and poor Inigo Jones had to write an essay on this wonderful antiquity, as to what he had discovered concerning it. On the 7th day of August, 1623, the King knighted at Wilton House Thomas Morgan, who was in all probability the co-burgess of Wilton in 1593 with Robert Penruddocke, whose portrait has an honourable place in this Town-hall, and who was knighted by his Majesty in the first year of his reign in the Royal Gardens of Whitehall. In 1627, on account of the violence of the plague at Salisbury, the market of that town was transferred to Wilton, and the inhabitants of Wilton were the principal purveyors to the wants of the citizens of Salisbury. Tradition still points to a mossy grey-stone on the roadside, between West Harnham and Netherhampton,

as the spot whereat all commercial dealings between the two places were transacted. Aubrey says that Charles I. "did love Wilton above all places, and came thither every summer," and the king had such especial affection for the fish caught in the neigbbourhood of Broadchalke "that the Earl of Pembroke was wont to send for these troutes for his Majesty's eating." Prince Maurice was quartered at Wilton in 1644, and in 1646 Fairfax paid a visit to the Princess Henrietta at Wilton House, where she was staying previous to her removal to Richmond. Many other celebrities have visited and resided in this ancient town, which had its Royal charters, its mint, its guild of clothiers and weavers, and, according to Leland, and confirmed by Sir Richard Hoare, twelve churches, besides the chapels which were attached to three of the hospitals. The Hospital of St. John, which is situated near, or just without the west gate of Wilton, and is an object of great interest, was not dissolved, being considered rather of a charitable than a religious nature. It was founded by Hubert Walter, Bishop of Sarum, during the reign of Richard I., and between the years 1189 and 1193. It is possible that this establishment was connected with the Knights Hospitallers, or Military Order of St. John of Jerusalem. Time will not permit me to touch further on the historical associations of this ancient town. I do not think that its glory has yet departed, and it is still possessed of an excellent trade. Its carpet manufactory, I suppose, sends its carpets all over the world. In looking over some old papers at Compton, a day or two ago, I was amused to find an account of wearing apparel in use in the year 1759, and therein was mention made of 1. Wilton coat, 1. Wilton silver twist waistcoat. It would appear as if Wilton in those days gave a name to garments, as Melton does now in our own. To-morrow we hope to make a pretty excursion into the country, touching at the chief points of interest *en route*. We shall see Wardour Castle, famous in history from its gallant defence by Lady Blanche Arundel, and the fine paintings and objects of antiquity at Wardour House, by permission of Lord Arundel, and I doubt not that when we arrive at Ferne, the residence of Mr. Grove, whose ancestor perished with mine on the scaffold for his loyalty, we shall enjoy the luncheon, to which

the liberal owner has invited us. Tisbury Church, rich in its monumental records, will not be overlooked, nor must we forget that Tisbury was the birthplace and residence of Sir John Davies, Attorney-General for Ireland, who, though he wrote works on law, yet found time to give to the world his "Nosce Teipsum" and "Immortality of the Soul." In the preface of his "Reports of Cases and Matters in Ireland," he curiously enough advocates the use of the old Norman French, in which the English laws were formerly written, as much more likely to be understood by the student than if it were translated into English. I think, from communications received, and some internal evidence, I am fortunate enough to possess a portrait of this distinguished man. The manor of West Hatch, held of the lord of the manor of Tisbury, claims to have been the place of residence of Lawrence Hyde, from whom descended the Earl of Clarendon, Lord High Chancellor of England. Place Farm, or "The Grange," is noteworthy as the manor house of Tisbury. Formerly, in the centre of one of its fields, called "Lost Stone," was a circular work set round with stones. In driving through the "Abbey Grounds" of Fonthill, we must not forget to admire the genius of Beckford, or the correct taste which he displayed in laying them out, and the readers of his "Vathek" may easily understand his erection of that shadowy yet splendid creation of fancy, which, though it satisfied his dreams, fell "like the baseless fabric of a vision, and left not a wreck behind." Fonthill House contains a costly and remarkable collection of china, which the owner, Mr. Morrison, with his usual kindness, has promised to show us. Passing on through Chilmark—first mentioned in the Saxon chartulary of Wilton Abbey—we reach the picturesque village of Teffont, and then on through Dinton, with its handsome old church, to Compton-park, where you will be made very welcome, and be shown such relics and curiosities as I may possess. This evening my friend Mr. Nightingale, will kindly enlarge upon the objects of interest which you are to see in your excursion to-morrow, and I shall have the pleasure of introducing members of the Society who have kindly undertaken to read papers to you. The Blackmore Museum and its collections will be illustrated by Mr. Edward

Stevens, and we shall have productions from the able pens of Mr. Cunnington and Dr. Blackmore. On Friday, Dr. Blackmore and Mr. Stevens have generously asked the members to lunch at the Blackmore Museum, where a most interesting paper will be delivered by the Rev. Canon Greenwell, on "The Quarrying of Flint for the Manufacture of Flint Implements;" and a paper by the Rev. W. C. Lukis, "On the Lines of Stones and Circles of Carnac, in Brittany." We close the day by a visit to Longford Castle, which we are enabled to see through the kindness of Lord Radnor. It is a singular edifice, built by Sir Thomas Gorges, from a Danish model. It contains many choice antiquities and magnificent paintings. I trust that I have not trespassed on your time, and that you will forgive my inability to deal with the subjects into which we are met to inquire. I will not detain you any longer, further than to introduce to you the Rev. A. C. Smith, one of the Secretaries, who will read the annual report of the Society.

The Rev. A. C. Smith said that before he read the Report, which was generally one of the dullest and driest of documents, he was sure he was only expressing the feelings of the meeting if he proposed a cordial vote of thanks to Mr. Penruddocke for his very admirable address. Nothing could more conclusively show the discretion and wisdom of the Council in proposing Mr. Penruddocke as their President for the next three years; and he heartily congratulated the Society on its choice. He then proceeded to read

THE REPORT FOR 1870.

"The Committee of the Wiltshire Archæological and Natural History Society, in presenting its annual report of the progress during the past year and present position of that body, desires to congratulate the members on the continued advance and general well-being of the Society. The number of names now on the books amounts to the goodly figure 334, which is a considerable increase since the meeting at Chippenham last year.

"Your Committee has at the same time to deplore the loss of some of our oldest members, and amongst these should be enumerated the late Earl of Radnor, and the Rev. Richard Crawley; as well as

some of those who have more recently joined us, and taken part in our proceedings, as the Rev. Edward Luard of Winterslow, and others.

"With regard to finance, your Committee is able to report satisfactorily, the funds now in hand showing an increase on last year.

"With reference to our publications during the past twelvemonths: although but one number of the Magazine has been issued, another (being the thirty-sixth number, and concluding the twelfth volume) is far advanced towards completion, and will shortly be in the hands of members: while the second part of the account of the Blackmore Museum has been published and distributed amongst the members of our Society, a work to which your Committee confidently calls special attention, as of very great archæological interest and merit, and for this the Society is entirely indebted to the pen of Mr. Stevens.

"The Museum and Library of the Society have been increased by some few donations, not however to any noteworthy extent: so that whilst the Committee heartily thank the donors for their contributions, they desire again to impress upon the members generally how great is the value of specimens when collected and classified in a Museum: as contrasted with the comparatively little interest which attaches to isolated objects, when retained in private hands; which moreover are often laid aside and lost, and whose history is as frequently forgotten. Your Committee therefore would again earnestly invite those to whom such specimens are from time to time brought, to deposit them, either as a gift or as a loan, in our permanent Museum.

"The Committee desires in conclusion to entreat the continued co-operation of its members in all parts of the county. Notwithstanding the exertions which this Society has made during eighteen years, there is still in Wiltshire a vast amount of Archæological and Natural History matter hitherto untouched: and as it is only by the help and cordial support of its many members that the work of the Society can be satisfactorily carried on, your Committee confidently appeals to you for individual research, investigation, and

information, in your respective districts; and for thus furnishing accurate and valuable materials for the Magazine."

At the conclusion of the Report (which was adopted by the meeting), the Council, General and Local Secretaries and other officers of the Society were unanimously re-elected, with thanks to them for their past services.

The Rev. D. Olivier read an account of "Wilton Church," which will shortly appear in the Magazine. This paper was the more acceptable as it was followed by a visit to the church itself, under the guidance of the Rector.

Mr. William W. Ravenhill next read a paper on "The Trial and Execution of Colonel Penruddocke, at Exeter, for High Treason A.D. 1655." [The first part of this paper is printed in the present number.]

The thanks of the meeting were voted to Mr. Ravenhill for his paper, and before the meeting adjourned

Mr. Cunnington said Lord Romilly had been in communication with the Society on the subject of our national antiquities. His lordship wished a committee to be appointed to petition the House of Commons in favour of legislative action. Committees had been appointed by the British Association and the London Ethnological Association, and he (Mr. Cunnington) had therefore to propose that a committee be appointed by the Wiltshire Society for the same purpose, such committee to consist of the President, Dr. Thurnam, Mr. E. T. Stevens, and Mr. Ravenhill.

The Rev. A. C. Smith seconded the proposition. It was of great importance that our national antiquities should be preserved. In riding across Marlborough Downs the other day, he came upon the only two cromlechs remaining in North Wilts, and he found that one of the capstones had been broken up for building purposes. He immediately represented the matter to Lord Ernest Bruce, as trustee of the property of Sir Henry Meux, and he trusted that the existing remains would be strictly preserved.

The motion was carried unanimously, and the company then proceeded to Wilton Church, in the inspection of which some time was occupied.

Lady Herbert had kindly given permission to the members to inspect Wilton House and its treasures of art, but owing to the severe domestic affliction which has befallen the family the visit did not take place.

The Society having been invited to visit the South Wilts Museum and the magnificent collection of stone, bronze, and iron implements, which Mr. William Blackmore (of London), has brought together at Salisbury, it was not thought advisable to form a local Museum at Wilton. Mr. J. W. Singer, of Frome, however, sent a splendid and unique collection of Mediæval jewellery, which was inspected with great interest. It included some good examples of Flemish, peculiar to Belgium, such as were worn in the 17th and 18th centuries; these specimens consisted of crosses, pendants, and ear-rings, both in gold and silver. The Belgian jewellery was interesting from its fineness, and from the circumstance that all the stones set in it are rose diamonds. The series from Normandy and Brittany was, perhaps, the finest ever shown; objects such as those exhibited were worn in the north and west of France during the last three centuries, and were peculiar to that district. Among the specimens we noticed various treatments of the cross, and of the *St. Esprit*; these last are of a very beautiful form, they were a kind of Whit-Sunday gift, and were chiefly worn on festival occasions. Many necklaces of various shapes were shown; these colliers are ornaments which were worn for the first time by the Norman peasant on her wedding-day. There was some highly interesting jewellery, of beautiful workmanship, from Italy and Germany, in the collection. Mr. Singer's fine series of wedding and other rings is well known to collectors. Among these were some betrothal rings of extremely small size, a Hebrew wedding ring, of the 15th century, of great rarity, having the motto *mavul touv*, "Joy be with you;" these words are pronounced *mausselauf*, and the rings themselves are usually called *mausselaufs* among the Jews; such rings were kept in the synagogue for use at every wedding. Rings in gold, silver, and bronze were shown; these varied considerably in size, and ranged in date from the 14th to the 18th century. One ring possessed great interest; it was given by Charles II. to the Penderell

family after his escape by concealment in the oak tree, at Boscobel, in 1651. In reference to this event a pension was granted, and is still paid to the Penderell family, the pension descending in the male line, and the ring passing down in the female line. Some of the English jewellery shown was interesting from its having been worn by the mother of Smollett, the historian. The collection of chatelaines of French and English manufacture, of the 17th and 18th centuries, with the watches and other appendages attached, was of a novel character. One of the watches possessed an additional interest from its having belonged to James II.; it had a revolving dial, with figures of the sun and moon to indicate the time. A few *lanaps* of German workmanship, and some early chalices, were exhibited.

THE SOCIETY'S DINNER.

The Anniversary Dinner of the Society took place at the Pembroke Arms Hotel, at six o'clock, and was presided over by Mr. Penruddocke. Most of the ladies and gentlemen who attended the general meeting were present, the total number being about 125. Mr. Motton catered with his usual liberality, but owing to the crowded state of the room, the waiting was not so good as probably it would otherwise have been. Lady Herbert sent a magnificent buck, and also a large supply of game. The dessert, which was of the best, was also the gift of her ladyship.

In responding to one of the toasts, the Venerable Archdeacon Stanton introduced the following anecdote relating to Wilton:—The story went that Sir Osborne Giffard placed his affections on a nun, who thought proper to accompany him. Probably thinking it, however, an act of gross impropriety, she took a companion with her. The two were carried off by Sir Osborne Giffard, and the act led to his excommunication. The punishment inflicted upon him by the Archbishop of Canterbury was fourfold; and probably they would not approve of one or two portions of the sentence. The first was that he should never set foot in a nunnery again—a very safe measure, for he was evidently not a safe man to be there. The next was that he was to fast a certain number of months—another good measure, probably, for the health of his body. The next was

not, perhaps, quite so wise—he was to be publicly flogged on three consecutive Sundays in Wilton Church. He did not think any of them would wish God's house to be so used in the present day. The remaining portion of the sentence was equally undesirable: the offender was not to be allowed to wear a shirt for three years. That was the way in which "fast" men who approached Wilton ladies in former days were punished; and he thought they would all agree with him that they now lived in happier times.

THE MAYOR'S CONVERSAZIONE.

Through the invitation of the Mayor (Mr. W. Robson) a very large number of ladies and gentlemen attended a conversazione held at the Town Hall in the evening. The Rev. G. Master exhibited some Roman remains, found near West Dean; and the Rev. J. Heale some fragments of Roman encaustic, discovered at Poyntington. Some British remains found in Devonshire, and exhibited by the Rev. J. Kirwan, attracted attention.

Mr. NIGHTINGALE then read a paper, which referred to the excursion to the valley of the Nadder, and pointed out the objects of antiquarian and historical interest to be found in the route.

The Rev. G. S. MASTER read an extremely interesting paper, which will appear in our present number, on "Roman remains recently found at Holbury, near Dean."

EARLY TUMULI IN DEVONSHIRE.

It was announced that a paper on "Ancient Wiltshire Dykes," would be read by the Rev. W. H. Jones, but the Rev. A. C. Smith announced that owing to illness, Mr. Jones was obliged to leave home with his family for a change of air. Mr. Stevens had, however, provided a substitute in the person of the Rev. R. Kirwan, who would explain some recent interesting discoveries he had made in Devonshire.

The Rev. R. KIRWAN delivered an extempore address of some length, a written paper that he had prepared having been accidentally left at Salisbury. The Rev. gentleman said, there were numerous tumuli at Broad Down, which was about 800 feet above the level of

the sea. About two years ago, one of them was opened. It was about six feet in height, with a diameter of about 100 feet. It was surrounded by a narrow fosse. A trench about six feet wide was driven through it from the south-east towards the north-west. About the centre of the barrow, they came upon a large deposit of charcoal, mostly in small fragments, and upon this there lay a deposit of human bones. Underneath there were flints arranged apparently with great care, and covering a space of about eight feet square. At a short distance to the east, they found a drinking cup lying on its side. Discussion arose as to the material, and everybody said it was undoubtedly a wooden cup. He took it home, but it soon fell to pieces. He was struck with the appearances presented, and on examination came to the conclusion that the material resembled that of the so-called Kimmeridge coal money. A high authority in the British Museum confirmed the opinion that it was formed of shale. Another cup was found on which there were bands of incised lines, made with great accuracy. They could not have been made except by means of the lathe. The cup terminated conically and would not stand upon its base. Two other similar cups had been found—one in Cornwall, and the other at Hove, near Brighton. Another barrow of a different character was examined at Broad Down, and in it was found a beautiful example of the incense cup. In the middle of a third barrow they found a huge cairn of stones, containing an urn, a large flat vessel, and several fragments or shards of pottery. There were also quantities of red ochre—used perhaps by the Madame Rachels of the period. Last year in a barrow on Gittesham Hill they also found large stones in a circle. On removing them, four shapeless pieces of bronze, which had been apparently melted in a ladle, were discovered. This year they again commenced excavating, and his attention was called to a a row of seven barrows, on the eastern escarpment of Broad Down. On proceeding to the spot, however, he was horrified to find that during the winter the farmer who occupied the land had carted the greater portion of them away, with the view of enriching a neighbouring field of turnips. If things went on as they were going he feared that not a barrow would be found in England 100 years

hence. He wished that Government would buy, not only Stonehenge and other similar memorials, but also every barrow in the kingdom, as was the case in Denmark. Well, in approaching the centre of a barrow which they excavated, they found, about three feet from the surface, a large flat stone. They carefully excavated around, and found a well-built dome-shaped structure, three feet in height, and four feet in diameter. They excavated the earth, and found a large deposit of charcoal, and upon the charcoal a socketed celt. They also found a large deposit of bones, evidently not burnt; and in another barrow a shale drinking cup, almost identical with the one found two years before, was turned up. If not made by the same hand, it appeared to have been turned upon the same lathe. In conclusion, the rev. gentleman expressed his belief that they would not err if they attributed these vessels to the earlier portion of the bronze age.

The PRESIDENT tendered the thanks of the Society to Mr. Kirwan for his interesting address.

DISCOVERIES AT POYNTINGTON.

The Rev. J. HEALE read a paper on some old encaustic tiles found at Poyntington, Somerset, about five years ago. Specimens were exhibited; and Mr. Heale was thanked for the information afforded.

Tea, coffee, wine, and other refreshments were provided during the evening, and a cordial vote of thanks having been passed to the Mayor of Wilton for his kind reception of the Society, the company separated about half-past 11 o'clock.

THE VALE OF WARDOUR EXCURSION.

On Thursday an excursion of nearly twelve hours' duration, was made along the valley of the Nadder, the distance traversed being upwards of forty miles. A start was effected from the Council Chamber, Salisbury, precisely at nine o'clock, Mr. E. T. Stevens acting as pioneer. Upwards of thirty carriages were engaged, and at the time of leaving Wilton some 200 ladies and gentlemen must have joined the cavalcade, which excited not a little wonderment

and excitement amongst the inhabitants of the numerous villages through which it passed. The bright rays of an autumn sun clothed with rainbow colours the already decaying foliage of hedge-row and copse, and although the days's work was unusually heavy, the excursionists had got the satisfaction of enjoying some of the finest park and woodland scenery in Wiltshire, as well as of inspecting many of the best paintings and works of art to be found in England.

The first important "call" was at Ferne, in the parish of Donhead St. Andrew, the residence of Mr. T. F. Grove, M.P., for South Wilts, one of whose ancestors, Hugh Grove, was beheaded at Exeter, with Col. Penruddocke, in 1655. An interesting portrait of the devoted Royalist was to be seen in the dining-room. The mansion commands some extensive views of the surrounding country. Mr. Grove being in Scotland, the company were received by Mrs. and Miss and the Rev. Charles Grove, and having inspected the paintings and other works of art in the house, they were invited to partake of an elegant luncheon, which had been laid out in the dining room. When the time came for departure, the president expressed a hope that Mrs. Grove would convey to her husband the best thanks of the Society for the kindness and hospitality with which its members had been received.

After crossing the Shaftesbury road, the party continued their progress through the finely-wooded park of Lord Arundell, of Wardour. His lordship received them at the entrance to the old castle, and some time was spent in an inspection of the ruin. Some of the principal architectural features were pointed out by Mr. J. E. Nightingale. The walls are now partially covered with moss and ivy, and the grounds contain some of the finest cedars in England. The scenery around is perhaps unsurpassed in Wiltshire, and the visitor may well adopt the words of the poet,

> ——— "Time's gradual touch
> Has moulder'd into beauty many a tower,
> Which when it frowned with all its battlements
> Was only terrible.

The castle was built by John, Lord Lovel, a little before 1400, and it was a good deal injured during the wars of the 17th century.

The ground plan seems to have been a hexagon, with two massive square towers flanking the entrance towards the east. This part of the building remains intact as regards the walls, which are of great height and solidity. The windows of the hall from the upper story are over the entrance. The interior has an open court, from which are approaches to the living-rooms and staircases. The main features of the building are easily to be traced, and the whole forms an interesting study of a large residence of the early Perpendicular period. Wardour was attacked by a powerful force under the command of Sir Edward Hungerford, in May, 1643, and at a time when Lord Arundell was in attendance on King Charles the First at Oxford, but his lady, Blanche, refused to surrender, and, with her little garrison of twenty-five men, most heroically withstood the onslaught of 1,300 soldiers and a bombardment which lasted five days. After defending the castle as long as it was tenable, she capitulated on honourable terms; but the republican leader having once gained possession, did not scruple to violate his engagements, and to plunder the mansion of its most valuable contents. It was then garrisoned by the Parliament, and placed under the command of General Ludlow, but it did not long remain in the hands of its captors. In the course of the summer Lord Arundell and Sir Francis Doddington invested it, and compelled Ludlow to surrender, after a gallant defence.

The party left the ruins, and, crossing the park, visited the new castle, through the drawing rooms and noble picture galleries of which they were conducted by Lord Arundell himself. The portrait of Lady Blanche Arundell, by Angelica Kauffman, the heroic defender of the fortress, naturally attracted great attention, as did also the noble rotunda staircase. The chapel was also visited, and the company having partaken of refreshments, Mr. Swayne tendered their cordial thanks to Lord Arundell for his kind and hospitable reception.

From Wardour the party hastened on to Tisbury, where a short time was spent in an inspection of the church. It was intended to visit Place Farm and Fonthill Gifford Church, but there being no time to spare, they passed on to Fonthill, where they received a

hearty welcome from Mr. and Mrs. Morrison, and had an opportunity of inspecting one of the richest and most valuable collections of porcelain and china to be found in England. Many of the most interesting objects were removed from their cases, and some observations were made thereon by Mr. and Mrs. Morrison.

It was now nearly six o'clock, and the president had invited the company to dine with him at Compton Park, eight miles off, at half-past five! A contemplated visit to Chilmark Church had therefore to be abandoned. It was dusk when the party reached Compton, and a conversazione being announced for eight o'clock at Wilton, they had but little time to devote to an inspection of the many interesting family relics to be seen at the house, through which they were conducted by Mr. Penruddocke. The portrait of Colonel Penruddock, his letter to his wife a few days before his execution, and the cap which he wore at the time of his being beheaded at Exeter, were naturally inspected with painful interest.

In a spacious tent erected near the house, a capital cold collation was provided. Mr. Penruddocke occupied the chair, and tendered a cordial welcome to his guests. At the conclusion of the repast,

The High Sheriff, in proposing "The health of the President," said that what he had undertaken to do he had done thoroughly well, and he (the High Sheriff) was quite sure that every one present would only hope that the same hospitality which he had shown them that day might be shown in every district into which the Society might make excursions. The President had set them a good example. But it was not only in the creature comforts that he had thought of the Society, but it was through the assistance which such gentlemen as Mr. Penruddocke gave to the objects which brought them together, that the Society occupied such a high place in the estimation of the public. After other remarks, Mr. Ravenhill concluded by proposing the health of Mr. Penruddocke and his family.

The company then left the tent, and proceeded to Wilton, which they reached shortly after nine o'clock. Mr. Swayne invited the

party to tea at the Island, and a goodly number of ladies and gentlemen responded to the invitation. In the course of the evening, Mr. E. T. Stevens read the following able paper on

The Stone Period.

In anticipation of the visit of this Society to the Blackmore Museum to-morrow, I have been asked to speak to you of the Stone Implements and other objects of which the collection consists. You are probably aware that this collection is chiefly remarkable for the admirable manner in which it enables us to study the simple arts which prevailed, in various countries and at different times, in what is known as the Stone Period. Much misunderstanding appears to prevail as to what is meant by the "Stone Period," and it may be well to deal with this question at the very outset. Some tribes of men are, at the present day, living in their Stone Period, others have but recently emerged from it, whilst we learn from the discovery of certain chipped flints and rubbed stone hatchets, that tribes, of whom history tells us absolutely nothing, existed in their Stone Period in regions where a far higher state of culture is historically known to have prevailed for centuries. The Stone Period, therefore, affords us no measure of time, not at least of time *positive*, it exists to-day, existed yesterday, or thousands of years since; the Stone Period however, is of great value, as a test of human culture. It represents to us a culture-stage in which man was, and is, fain to supply his needs by means of implements and weapons formed from natural substances—such as wood, stone, shell, bone, horn, and the teeth and claws of animals. During this period some tribes made use of the native copper or meteoric iron which they collected, but these masses were merely hammered into shape, they were treated only as malleable varieties of stone and were not melted and cast into the required forms.

There is evidence of the existence, in some countries, of a Copper Period, during which native copper was melted and cast into tools and weapons. But a great advance was made upon the use of unalloyed copper, when it was discovered that an admixture of tin imparted a hardness to this comparatively soft and ductile metal.

It is highly probable that many copper implements were re-cast during the Bronze Period with the addition of tin, and that the comparative scarcity of ancient copper tools is, in part, due to this circumstance.

Then there is the Iron Period, during which the art of reducing iron from its ores was discovered, and this metal superseded the use of both stone and bronze for cutting instruments and for many other purposes. It is probable that no absolute uniformity has prevailed with regard to the sequence of these culture-stages, in some counties the Stone Period may have lingered on much longer than in others, and in some counties perhaps neither a Copper nor Bronze Period may have existed. But in *every* country there appears to have been a Stone Period, although it by no means follows that the ancestors of the present occupants of the soil were the stone-using people. Indeed, in dealing with these culture-periods, no general rules can be applied to the remains found in various counties and districts, each series of facts has to be separately and cautiously investigated before we can venture to pronounce an opinion upon it.

It is natural that every young science should have to pass through a stage in which its teachings are misunderstood, and, not unfrequently, are misrepresented. Pre-historic Archæology appears to be still in this phase of its existence, and in particular, these typical stages of human culture,—The Stone Period, the Bronze Period, and the Iron Period,—have provoked the criticism of some who have, and many who have not, made themselves sufficiently acquainted with the published views of archæologists upon the subject. For instance, in an article which has recently appeared in the "Quarterly Review" under the title of "Non-Historic Times," allusion is thus made to the classification of pre-historic remains by the Danish antiquaries:—"First came an age when the country was inhabited by savages, ignorant of the use of metals, and only employing stone and bone for all the purposes for which tools were necessary." So far well, but then follows:—"And as a corollary to this, every monument which contained no metal, or in which any flint implements were found, was at once relegated to these remote ages." The writer then adds:—"There was a delightful simplicity about

this system that made it instantly popular. Every one could distinguish between stone, bronze, and iron implements, and as this was all the knowledge required to determine the relative age of any 'find,' or of any monuments, it was universally adopted."[1] Now, although these passages form strictly a criticism of the Danish system of classification, yet many readers of the article would be led to suppose that they really express the present views of archæologists, or at all events of Sir John Lubbock, whose work, "Pre-Historic Times," is the first upon the list which heads this article, and is supposed to be, although it actually is not, reviewed by the writer of "Non-Historic Times." But in order to prove that Sir John Lubbock does not hold these opinions, it is only necessary to turn to the third page of "Pre-Historic Times," where we find this passage:—"Stone weapons of many kinds were still in use during the age of Bronze, and even during that of Iron, so that the mere presence of a few stone implements is not in itself sufficient evidence that any given 'find' belongs to the Stone Age."[2] Had this passage been written, purposely, in refutation of the views ascribed to archæologists by the writer of the "Quarterly Review" article, the wording could scarcely have been more precise and to the point; and yet this passage was in print five years before the article in question was published, and in a book which is supposed to be reviewed in this very article. If, therefore, the passages I have cited from "Non-Historic Times" are not wanton perversions of Sir John Lubbock's views, it is clear that the reviewer either did not read, or did not read aright, the book he professed to review. And yet statements such as these are frequently allowed to pass unchallenged, and become articles of faith with such as are either too indolent, or too careless to examine into the subject for themselves.

The writer of "Non-Historic Times" notwithstanding, the Stone, Bronze, and Iron Periods, *do* afford us valuable tests of human culture, although they are, even at best, no more than rough tests; for, whether in ancient or in modern times, it will be found that

[1] "Quarterly Review," No. 256, 1870, pp. 433, 434.

[2] "Pre-Historic Times," 1st edition, 1865, p. 3. 2nd edition, 1869, p. 3.

the development of civilisation has not been at all uniform in operation.

The Stone Period is usually a period of savagery, the Bronze of barbarism or low civilisation, and the Iron Period that of the middle level of civilisation and onwards. This ideal scale, however, requires much qualification. For instance, we know of no savages above the culture-level of the Maoris, Caribs, and Cherokees who have lived in their Stone Period during historical times. But it was not invariably so in pre-historic times, for the Swiss lake-dwellers during their Stone Period, led a settled life, were a pastoral and agricultural people, and attained a condition to be regarded as barbarian rather than savage. Perhaps of the three, the Bronze Period affords us the most safe and reliable test of culture. The typical bronze-using races of modern history are the Mexicans and the Peruvians, and what is known of them agrees well with our dim information of the pre-historic bronze people of Europe and Asia, so as to justify the opinion that bronze always indicates a state above savagery, though at most extending to the middle range of civilisation. It is interesting to find that the bronze-using Mexicans largely employed stone implements for cutting purposes, and no weapon appears to have been more dreaded by the Spanish invaders than the Mexican wooden sword armed at the edges with flakes of obsidian. We have thus in the case of the ancient Mexicans very clear evidence of the contemporary use of bronze and stone implements.

The Iron Period is wanting in the definiteness of the two other periods. Iron is, indeed, the universal accompaniment of the higher civilisation, but it also descends into the savage state. Modern iron-using people of Asia range from Persians, Hindus, and Chinese, down to the barbarous Kalmuks and Khirgis, and the savage Ostyaks; while, in Africa, the Kaffir and Hottentot tribes, though ironworkers, are in general culture below the ironless Mexicans and Peruvians. It is evident, therefore, that the diffusion, or the independent discovery, as the case may be, of the art of iron-working has, in some instances, taken place without a corresponding elevation in civilisation. Indeed, the iron-using Malay, Tartar, and African tribes in their ideas of ornamentation, the forms of their weapons,

and in some other respects, present striking analogies to the pre-historic bronze-using people of Europe.[1]

Imperfect, however, as the Stone, Bronze, and Iron Periods are as tests of culture, they contrast in this respect very favourably when examined, side by side with the other industrial arts. For instance, it might be imagined that the art of making pottery would furnish us with one of the very best tests of culture; but, at the outset, we find that certain of the lower savages, such as the Australians, Fuegians, and Bushmen, when first observed by Europeans, did not make pottery, and were absolutely ignorant of its use. Some pre-historic races also appear to have been unacquainted with the art of making pottery. None has been found associated with the flint implements of the Drift; and scarcely any, if any, which can be assigned with certainty to the period of the cave-dwellers of Dordogne and the south of France. Nevertheless, speaking generally, knowledge or ignorance of the potter's art affords a fair low-level test of races, separating the lower savage from the upper savage; but that this rule is not universally applicable is shown from the fact that the Tahitians and New Zealanders did not make pottery, while the much lower Papuans of New Caledonia, and the Fijians were potters.

Having thus explained my views of what I believe the Stone Period to be, you will be in possession of the key to the system adopted in the arrangement of the Blackmore Collection. In that collection you will find the specimens classed partly as tests of culture, partly according to the country in which they were found. For example, the stone implements found in France; in the drift, the caves, and upon the surface soil, are each arranged in a separate group, because each series is believed to represent a distinct stage of culture; in such instances the classification by country ceases to be a primary, and becomes only a secondary sub-division.

In a National Ethnographical Museum, such as the Christy Collection, a general system of classification by country may

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[1] See E. B. Tylor, in Trans. International Congr. Pre-hist. Archæol., 1868, pp. 11—14.

perhaps be adopted with advantage. But in the Blackmore Collection the chief object of which is to illustrate the simple arts of the Stone Period, and to enable students to study them as tests of human culture, in this comparatively limited field of inquiry, I believe that our system is as simple, and as intelligible as any which can be adopted.

We do not class our specimens strictly according to material; all objects, no matter of what material, if found associated with each other or met with under circumstances that justify the belief that they were in contemporary use by the same people, are arranged together; and although a few stone implements of the Bronze and Iron Periods are placed in the same cases with some which belong to the Stone Period, they are placed there only for purposes of comparison and illustration, not because they happen to be of a similar material. The collection formed by Messrs. Squire and Davis, when it reached this country, was classed and catalogued strictly according to material; consequently a group of objects found in a single tumulus, if one specimen was of pottery, another of stone, a third of bone, and a fourth of shell, would have been divided from each other and placed in four different cases, although collectively they serve to illustrate but one incident in the customs of a particular people. These specimens are now arranged, as far as is possible, in distinct groups according to the tumulus in which they were respectively found, and without any reference to the material of which they are composed.

By limiting our collection to objects illustrative of one branch only of a vast subject, there is less to distract the mind, visitors are able to study, minutely and in detail, one isolated series of facts, and to obtain with facility a general idea of the arts of the Stone Period. But having succeeded in doing this, the mind is naturally carried from the rude stone implements themselves to the men who fashioned them. Then arise such questions as these. Who were they? What were they? What was the mental and moral condition of these men? Was primeval man a being little above the brute? Or was he every whit a man, ignorant as the merest child, perchance, as regards the industrial arts, but still in mental power a man—and nothing less?

According to one theory, man in the lowest, or even in anything approaching the lowest, stage of savagery never did, and never can, unaided, raise himself to a higher state of culture. It is contended that when savages are brought into contact with civilised races, it is extremely difficult to teach them the simplest arts; that they seem never to invent or discover anything for themselves and for the reason that even "necessity is not the mother of invention" except to those who have some degree of thoughtfulness and intelligence. In point of fact, that we are to regard all savages as degraded men, whose ancestors lived in a higher state of culture, but privation, suffering, or oppression, have done their work, and in these savages we see the result.[1]

Another school arrives at a diametrically opposite conclusion. They consider that the primitive condition of man, was that of savagery in its lowest stage and that from this condition certain races have independently raised themselves. According to this theory, instead of existing savages being the degenerate descendants of men who enjoyed a higher state of culture, all civilised races have sprung from savages.

There is something to be said for, and against, both theories, and the truth probably lies between the two extremes.

The assumed inability of savages to raise themselves to a higher state of culture appears at first sight to be borne out by experience; for instance, successive forms of civilisation have swept over the Bheels, in India, but they remain savages still, and although they now carry the breech-loading rifle of the Englishman, they are armed themselves with bows and arrows of the same pattern as those used by their forefathers in the time of the Greeks. In fact, the state of culture with some tribes appears to have fossilised and become stationary for an indefinite period, or until destroyed by being brought into contact with races in an advanced state of culture.

Unfortunately, very slight evidence of the early history of

[1] See "Origin of Civilization," by Dr. Whately. See also "Primeval Man," by the Duke of Argyll, in which latter work some of these views are not supported.

civilisation is to be obtained by direct observation; that is, by contrasting the condition of a low race at different times, so as to see whether its culture has altered in the meanwhile. The contact requisite for such an inspection of a savage tribe by civilized men, has much the same effect as the experiment which an inquisitive child tries upon the root it put in the ground the day before, by digging it up to see whether it has grown. At all events, it is a general rule, that original and independent progress is not found among a people of low civilisation in presence of a race in a higher state of culture. It is natural enough that this should be the case, and it does not in the least affect the question, whether the lower race was stationary or progressing before the arrival of the more cultivated foreigners.

There is less difficulty in disposing of the other assertion, that savages seem never to invent or discover anything for themselves. If collections, such as that in the Blackmore Museum, teach anything at all, it is, that savages in every stage of culture *do* invent, and *do* discover things for themselves. The isolation of particular forms of weapons or tools in particular islands or regions, naturally leads to the supposition that they were independently invented by the people who alone use them. For instance, I have said that the Fijians were excellent potters, this excellence in the manufacture of pottery led to an extraordinary development of the art of cookery, for they were able to expose their ware to the direct heat of the fire, and to boil their food in this manner. This development of the art of cookery among the Fijians led to the, apparently, independent invention of that very civilised instrument, the fork, which they used for fishing the hot morsels out of their various soups and stews, and the use of which appears to be unknown, (except as introduced by Europeans) to the other islanders of the Pacific. Indeed, the use of forks in eating was unknown to people so advanced as the Greeks and Romans, and in England forks only came into general use at the beginning of the seventeenth century.

But, if we admit that savages can invent and consequently progress in the industrial arts and in knowledge, we must also allow, I think, that decline is possible. Indeed few persons will deny that both decline and progress in art and knowledge are now actually going

on in the world; and it is probable that evidence may yet be forthcoming to prove, that degradation as well as development has happened to the lower races beyond the range of direct history. The miserable "Digger Indians" of North America, who lead a wandering life, lurking in holes and caves, slinking from the sight of other Indians, and subsisting chiefly on wild roots and fish, were not always in this deplorable condition; for they are in part Shoshonees or Snake Indians, reduced to their present state of degradation by their enemies the Blackfeet, who obtained guns from the Hudson's Bay Company, overpowered the Snakes, took away their hunting-grounds, and compelled them to sink to their present culture-level, causing them to abandon certain arts which they practised in their more fortunate days. The culture-history of mankind, however, is probably not the history of a course of degradation, or even of equal oscillations to and fro, but of a movement which, in spite of frequent pauses and relapses, has on the whole been forward; and there appears to have been from age to age a growth in man's power over nature, which no degrading influences have been able permanently to check.

Primeval man appears to have possessed a mind capable of reasoning, disposed to reason, and able to acquire, to accumulate, and to transmit knowledge, thus enabling each succeeding generation to start from a higher and still higher vantage-ground of accumulated knowledge.

I confess that I am unable to trace any necessary connection between a mere babyhood in the practice of the industrial arts and a low state of moral culture, but upon this branch of the subject time will not allow me to enter.

Neither can I touch upon another point, of great interest, the question of the Antiquity of Man. I have said that the Stone Period "affords us no measure of time," neither does it of time *positive*; but in arriving at conclusions with regard to time *relative* the Stone, Bronze, and Iron Periods are as valuable to us as are the successive types of fish, reptile, and mammal, to the geologist.

Discussion having been invited, Professor Rupert Jones, to whom a direct appeal was made, said it would be very difficult to add anything to Mr. Stevens' extremely perfect elaboration of the subject,

and to speak at a moment's notice with the view of adding anything to those statements of facts, and outbringings of opinion would be really too bold. It was a masterly essay—(hear)—and he could not help saying so even in the presence of Mr. Stevens.

CONVERSAZIONE AT THE BLACKMORE MUSEUM.

On Friday morning a large party of ladies and gentlemen assembled at the South Wilts and Blackmore Museums, Salisbury, where several papers were read, followed by discussion. The President not having arrived at the commencement of the proceedings, the chair was taken by Sir John Awdry, and Mr. E. T. Stevens gave a detailed account of the different animal remains, as well as of the rich and unique collection of stone, bronze, and iron implements which have been brought together in the Museum.

The Valley of Wardour.

Mr. Cunnington read a paper on "Certain Fresh-water Beds in the Valley of Wardour." He gave a detailed account of the various strata which exist in this district, some of marine and some of freshwater origin; others showing that dry land had prevailed during certain periods. Allusion was also made to the agencies by which the whole of these strata had been lifted up at a considerable angle, and to the subsequent denudation and scooping out of the valley. He suggested that the principal agents in this work were rain, frosts, and torrents, probably aided by glaciers, which doubtless then existed in this country, as it had not at that time been separated from the continent. The lecturer exhibited a moveable diagram illustrating the upheaval and denudation of the strata forming the vale of Wardour.

The Chairman expressed his concurrence in the view expressed with regard to the formation of the Wardour Valley by aqueous action, following the splitting up of the land by an earthquake; and a cordial vote of thanks was unanimously tendered to Mr. Cunnington.

The Stone Avenues of Carnac.

In the unavoidable absence of its author, (the Rev. W. C. Lukis, formerly rector of Collingbourne,) a paper on this subject was read by Lieut. Oliver, R.N.

ON

Roman Remains found at Holbury, near Dean.

By the Rev. G. S. Master, M.A.

Read before the Society at Wilton, September 14th, 1876.

THE vestiges of Roman occupation, within the area over which the operations of our Society are extended, are neither so numerous nor so frequently brought to light, as to make it desirable to pass over, without at all events placing it upon record, any fresh discovery, however insignificant in itself, which may contribute an additional item to the very limited stock of local knowledge we already possess.

I am inclined however to think that Roman Antiquities have not received, in this southern division of our county, the attention which they deserve, and that more diligent investigation and inquiry would reveal many, whose existence is unsuspected, or whose details have never been explored. My own field of observation has been hitherto a very limited one, confined in fact to the immediate locality in which I reside. My parish of West Dean occupies a central position in the wooded basin or valley, which, underlying the chalk ridge of Dean Hill, and traversed by the railway from Salisbury to Romsey, extends from the heights of Alderbury on the west, to the Test river on the east. Within those boundaries I can trace a chain of Roman villas or buildings, the existence of which is the more remarkable, because the valley is, (or was, until the Railway was opened), a secluded one, no highway of importance passing through it, and the nearest Roman road, that from Old Sarum to Winchester, lying away some few miles to the north. Nevertheless, for some reason or other, perhaps the salubrity of its climate (it is one of the driest of Wiltshire valleys), perhaps the facilities it afforded for hunting, (it seems to have been always forest), or its easy access to the sea at Southampton,—it was evidently a favorite locality in Roman times.

In vol. ii. of the Archæological Journal, published in 1846, it is stated, on the authority of the late Mr. Hatcher, of Salisbury, that the site of an unexplored Roman villa exists in Clarendon Wood, about three miles from Salisbury, and that numerous coins have been there discovered. Mr. Hatcher was too accurate an observer to have made a statement in print which was without foundation. It is fair however to say that Sir Frederick Bathurst, the owner of Clarendon, has no knowledge of the circumstance, although he has in his possession a considerable number of Roman coins which have been found upon his property.

At West Dean, four miles further on, a tesselated pavement was discovered as early as 1741, and brought under the notice of the Society of Antiquaries. A description of it is given by Sir Richard Colt Hoare in his History of Wilts. The central portion of it was extracted entire, and conveyed to London, where it was made a public exhibition, at an inn at Charing Cross. I have been unsuccessful in my endeavours to ascertain its subsequent fate, or to obtain a drawing of its design, which however is represented to have been a circle, composed of 28 intersecting circles, or segments of circles, of black and white tesseræ, half-an-inch square, surrounding a four-leaved white flower. In 1846, the Railway, then in process of construction, passed over the site, when the foundations of a very extensive villa were disclosed, and further portions of pavements were necessarily destroyed. They seem to have been composed of tesseræ of various sizes, from an inch to a quarter of an inch square. A great quantity of these are still lying, untouched since that time, in a builder's yard close by, but they are so detached and broken up that they convey no notion whatever of the patterns of which they formed part. The specimens I have obtained are set in a coarse concrete of broken brick and mortar; the larger tesseræ are all of stone, about an inch square; the smaller and finer ones formed squares or diamonds of red and white, each composed of four tesseræ. Mr. Baring Wall, M.P., the then owner of the soil, caused further excavations to be made in a field adjoining the Railway Station, and disclosed the foundations of rooms and corridors, a ground plan of which, together with drawings of portions of the pavements, as then

existing, made by the late Mr. Hatcher, are with other papers which belonged to that gentleman, in the possession of Mr. Stevens, one of the Secretaries of the Blackmore Museum, to whose kindness and courtesy I am indebted for the copies of them now laid before this meeting. The drawings show the pavements to have been of considerable beauty. I am not without hope that a future examination of the site, a portion of which is included within the limits of a meadow in my own occupation, may result in additional discoveries.

And now I pass on to the more immediate subject of this paper. About a mile beyond West Dean, between the hamlets of East Dean and Lockerley, in the county of Hants, a little to the north of the railway, there is a wooded eminence known as "Holbury Copse," and corresponding with it a similar one further on, called "Cadbury." Both of these names are indicative of ancient encampments. The latter derived from the Keltic "cat" or "cad," prælium, and "bury," a place of defence, is not an uncommon designation of hill fortresses, and occurs in Gloucestershire, Somersetshire, and Devonshire, as well as here in Hampshire. The former I suppose may be compounded of the Saxon "hol," a hollow, or "holt," a wooded eminence, and "bury," as before; this last, at all events, would be eminently descriptive of the position of the place. Two sides of a large rectangular entrenchment may be traced amongst the trees upon the highest ground in Holbury Copse, the corresponding ones having been obliterated by repeated removals of gravel and sand. At the north-east angle of this entrenchment my late discoveries were made, and were the result, as is usually the case, of accident. A gamekeeper digging out a ferret from a rabbit-hole, had occasion to penetrate the bed of sand of which the ridge is composed, to a depth of three feet or more, and in so doing threw out numerous sherds of pottery. When these were brought to me, I saw at once that they were Roman, and having asked and obtained permission from Sir Francis H. Goldsmid, Bart., M.P., the owner of the property, to examine the nature of the deposit, fortified by the presence of the Rev. Edmund Kell, F.S.A., of Southampton, L. O. Fox, Esq., M.D., of Broughton, and the Rev. William Eyre, I made a careful excavation, in which, employing four labourers, I

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was occupied four days in the month of March in last year, and which resulted in the discovery of at least a cart-load of broken pottery, the whole of which I have preserved in my parochial museum at West Dean. Judging from the number of bases and so on, there must have been fragments of more than a thousand separate vessels, a fair proportion of entire and uninjured ones being found among them. The question at once arose, to what were we to attribute this vast collection? The quantity of the debris, the occurrence of unbroken amongst the broken vessels, the absence of all accompanying relics of human habitation, not a single bone, oyster shell, or other similar article (with the exception of a few coins and a small bronze object, to be hereafter described,) being discovered amongst the fragments, seemed to point to a manufactory rather than a dwelling. On the other hand, the nature of the soil—a deep bed of yellow sand—affording no possible material for the purpose, the situation of the spot—upon the edge of an artificial military embankment—and the fact that all the vessels, whether fragmentary or entire, bore marks of long wear and usage, gave conclusive evidence, we thought, in favor of another conjecture, that the place was the rubbish-hole of a great Roman Camp, and that the presence of uninjured vessels amongst the broken ones might be explained, perhaps, upon the supposition that they were purposely hidden, upon some sudden break-up of the encampment, with a view to their possible recovery at a future time. Upon this point, however, as upon some others connected with this investigation, I shall be grateful for such suggestions or corrections as the superior knowledge of any member of our Society may enable him to afford.

Some of the best specimens of the pottery are before you. They are of at least four kinds of clay, ranging from the coarse brown unglazed jars used for culinary purposes, to the so-called Samian ware; this last, however, as is usually the case, in fragments, and with the edges much abraded. Of intermediate kinds, some are of a light sand-colour, unglazed, and very porous; others of a harder clay not unlike that of which blacking-bottles are made; and others again of a more fragile nature, and of a reddish colour.

The coarser vessels consist chiefly of ollæ or jars, used for cooking

and for containing food. Of the larger sizes, as might be expected, no perfect examples have been found. There are also shallow bowls for heating liquids, smaller pots perhaps for unguents, and saucers identical in shape with those now used for placing under flower-pots. These last, however, were employed as covers. There is one in the Winchester Museum, which was found in Waterlane in that city, covering an urn containing ashes, and by overlapping the top of it, effectually preserving its contents from injury. Both are figured in vol. vi. of the "Archæological Journal," p. 184. Here is a mutilated but interesting example, the only one I have met with, of a saucer-shaped cullender or strainer, the bottom and rim perforated with holes and scored with lines, to facilitate the escape of the liquid. Only one bottle-shaped vessel was found uninjured; it is very strong and heavy, though not of large size, and bears marks of having been placed upon the fire. The large quantity of necks, handles, and rims of store jars, jugs, and bottles, attest the use which the Romans made of all these articles. None of these objects have any ornament of any kind upon them. The bluish-black colour, not amounting to a glaze, still remaining upon some of them arises, I believe, from their having been baked in the smoke of vegetable substances.

Of the rough-looking but brittle sand-coloured ware only a few, and those fragmentary specimens were found. The spout and handle of a large jug, probably a wine jar, a small two-handled amphora-shaped poculum, and two portions of lamps, perforated for their wicks, and discoloured by burning, are the best of these.

A dull red clay, and a whitish clay coated with red, both very inferior to Samian in tint and lustre, seem to have been sparingly employed for pocula, jugs, and pateræ, of which last but scanty remains and no uninjured specimens were discovered. Judging from the fragments of the dishes, they must have been small in size, and few in number. There were some much worn pieces of a "mortarium," with its lining of sharp stones, for the abrasion of vegetables or grain. Of these two diminutive objects, both in fair preservation, one may have been, I think, the "salinum," or salt cellar, the other the "acetabulum," or vinegar bowl of the Roman

table. An olla of small size, and some drinking cups of the whiter paste, some partially broken pocula of the red ware, with bands of slight tool-work upon them, portions of an elegantly shaped jug, and an oil flask, entire, with the exception of its handle, the two last-named vessels, ornamented with white, are the most interesting specimens I have to lay before you.

But the bulk of the pottery exhumed was of the harder stronger ware to which I have referred, and consisted mainly of bases, lips and broken pieces of hundreds of drinking cups, ranging in size from the cyathus, or twelfth part of a pint, to the sextarius, or full measure; the intermediate vessels were called sextantes, quadrantes, &c., according to the number of cyathi they contained. There were portions also, but no perfect examples, of larger jars and wide-mouthed bottles. Of the pocula many have the well-known thumb indentations: there is a fragment with circular ones, made perhaps by turning the cushion of the thumb round in the clay: others have rude attempts at ornamentation, by rough tooling and lines, or by dots and streakings of white; but all are of a low class of art. Two only, both of them broken, pretend to something beyond, one having impressed roundels worked upon it, and the other a slight flowing pattern, laid on in cream-coloured pipeclay. I have succeeded in putting together sufficient fragments of a larger jar or bottle, to show the effect of the more elaborate roundels which adorned it; and I have portions, which I cannot unite, of a jug, which was decorated with diamonds formed by the intersection of double lines of white. Besides these there are sundry small pieces of other cups or vessels of unknown shape, one of which was ornamented with delicate lathe-wrought tooling, another with an embossed pattern, a third with overlapping scales, laid on like tiles upon a roof. A perfect poculum of this description, found at Caistor in Northamptonshire, is figured in Chaffer's "Marks and Monograms on Pottery and Porcelain," page 16. And here are necks of two small bottles, one of them with a pattern of intersecting circles, the other with a ring of white dots upon it.

Of the lustrous red ware known as "Samian," very little was found; the largest fragment being a portion of a shallow vessel

furnished with an external projecting belt turned downwards, the object of which is presumed to have been the concentration of heat round the bottom of the pan. Upon this and upon another fragment, which seems to have been the lid of an olla, potters' marks were stamped, but the letters are too much obliterated to be decypherable.

I leave it to those more conversant with the subject than myself, to determine how much and what portions of all this mass of pottery were productions of the well-known manufactories in the New Forest; and I shall be grateful for any suggestions or information which may throw light upon the origin of the deposit.

I have already noticed the remarkable fact that the pottery was found alone, unaccompanied by bones, oyster-shells, or any objects of metal, with the single exception of this small article of bronze, something like a bell-crank, the use of which I am unable to conjecture, unless it may have formed part of a horse's bridle, and ornamented the side of the bit. About thirty coins were turned up, chiefly of third brass, many of them quite illegible; those in better condition comprising examples of Postumus, Claudius Gothicus, Tacitus, Carausius, Constantinus Magnus (one of this Emperor having the letters "P. L. N." "pecunia Londinensis," on the exergue, showing that it was coined in London), and Constantinus Secundus.

Before bringing my paper to a conclusion, I may be allowed to mention that the interest excited by this discovery has led to another likely to be of still greater importance, but the results of which being as yet imperfectly ascertained, cannot be laid in their entirety before this Congress. Thus much I may say; that in consequence of representations made to me by the occupier of the farm adjoining Holbury wood, I was induced to examine the edge of a large chalk-pit in a field below his house, and perhaps a quarter-of-a-mile from the scene of my first excavation. The section of the chalk gave evidence of an ancient depression or ditch, pursuing which in September of last year in a southern direction from the chalk-pit, for the distance of fifty-five yards, and digging a trench three feet in depth and width, I obtained indisputable proof of the close prox-

imity of the site of a Roman building. The workmen threw out large quantities of broken roofing stones brought from Portland, hexagonal in shape, and varying in size from eleven inches in width to the diminutive specimen before you; which shows, I think, that the stones were graduated, as in modern ornamental roofing, from the eaves to the crest; and immense numbers of nails of all shapes and sizes, some of the larger of which had been used, no doubt, for fastening on the roofing stones. Here is a fragment, with the nail still remaining in it. We found besides numerous pieces of window-glass, varying considerably in tint and thickness, some of them not very dissimilar to Hartley's patent. These are by themselves indications not only that there was a villa in the neighbourhood, but that it was one of some importance; for glazed windows were luxuries and not very common ones in Roman times. Then there were oyster-shells and snail-shells in abundance, the former both of the larger and of the small variety; the latter of *Helix aspersa* only, which as well as *Helix pomatia*, is known to have been eaten by the Romans: bones of animals, pronounced by Dr. Fox to be those of oxen, sheep, swine, and deer, horns of the *Bos longifrons*, and stags' horns, some of the latter sawn into small pieces, boars' tusks, and teeth of dogs and other animals. Amongst implements of iron, were pincers, a knife-blade, a buckle, hooks, and punches: of bronze —a few armillæ and fragments of twisted wire, portions of a spoon, a cuff-button precisely similar in shape to those now used by ladies, and some thin sheeting which had evidently been nailed upon wood: of bone—a hair-pin, the tooth of a comb, and a singular square object pierced with five holes, which bear marks of the abrasion of the thread or silk with which it was attached, as is supposed, to some portion of the dress. Sherds of pottery were also found very much like those already discovered, except that there was a larger proportion of vessels of white clay, but only one object, and that a small olla, of the coarsest black ware, in an unmutilated condition. Upon a fragment of a similar one are the letters BERÆ, part of an unfinished word, and the only instance of any inscription that we have met with. There were relics of some articles of wood, part of the rim of a bowl, portions of an armilla, and round knobs, which

were then, I suppose, as now, employed as the handles of doors or cupboards. These things have been reduced by the lapse of time and other causes, to something like the condition of Kimmeridge coal. We found about two hundred coins, all of the third brass, many of them in a condition of decay which rendered their inscriptions illegible; but we made out some of Constantinus Magnus and Secundus, each with three or four varieties of reverses, and five or six of exergual letters; of Constans, with five different reverses; of Martinianus, Delmatius, and Magnentius. Feeling confident that we were on the verge of the wished-for villa, but striking no walls nor foundations, we desisted unwillingly from our search.

Operations were resumed about a month ago, when by the patient use of a pointed crowbar in various directions, we ascertained and afterwards uncovered the foundations of a large enclosure, about 65 feet long by 52 broad, its walls of unusual thickness, those on the north and south sides being 3 feet 9 inches, those on the east and west 2 feet 6 inches in width, built of faced flints strongly bedded in mortar. I am inclined to think that we have not hit upon the villa yet, but that this is an outbuilding of some kind, perhaps a barrack or stable, for the only portion of the internal area we have been able to examine has disclosed a chamber of about 12 feet square, without any floor but the natural clay of the soil, which appears to have been undisturbed. Broken roofstones and nails, with all the debris of a fallen building, destroyed apparently by fire, lay upon it, and amongst the rubbish we found a whetstone, a portion of a quern or hand grinding stone, some fragments of a very delicate and thin glass vessel with a red coloured stain upon them, and this singular object, which, at first sight, looks like a Gothic poppy-head in stone, but may, for all that, for aught I know, belong to earlier times.

I have succeeded in obtaining from Sir Francis H. Goldsmid, Bart., M.P., whose ready kindness I gratefully acknowledge, full permission to examine this portion of his property, to the extent of one third of an acre; and so I trust, at no distant time, to have additional information to lay before the Society.

Gleanings from the Wiltshire Domesday.

II.

On the Names of Owners or Occupiers still preserved in those of Persons or Places in Wiltshire.

By the Rev. W. H. Jones, M.A., F.S.A.,
Vicar of Bradford on Avon.

IN a paper published in a previous number of this Magazine[1] an attempt was made to shew from the Wiltshire Domesday that the Boundaries of the County of Wilts were the same now as in the eleventh century. We hope to be able to prove in this essay that in the Names of Persons and Places still preserved, we have numerous memorials of those, who, whether in the time of the Confessor or of William the Conqueror, are entered in the Record as owners or occupiers of lands in our County.

In the Domesday Book for Wiltshire we have given to us, not only the names of the Tenants *in capite*, and the subordinate holders of land, *after* the Conquest, but those also of the persons who possessed the same estates in the days of Edward the Confessor. To materials supplied by these lists we confine ourselves. Much additional matter may be found in the ancient charters published by Kemble, in his *Codex Diplomaticus*, or by Thorpe in his *Diplomatarium Anglicum*, or in some of the publications of the Rolls Series, such as the *Liber de Hyda*, &c., in all of which books many charters relating to Wiltshire are to be found, but to touch on these would carry us into a very wide field. We shall find, in the limited portion of the subject to which we confine ourselves, much, it is hoped, not merely of local but also of general interest.

Note.—The references given in this paper under the headings of "Aubrey" and "W. Domesd." are respectively to Canon Jackson's edition of Aubrey's Collections, and the Rev. W. H. Jones' Domesday for Wilts.

[1] Vol. x., p. 165.

I. Memorials of those who lived in the days of the Confessor.

(1) Names of PERSONS.

(*a*) Names occurring in a form, but little, if at all, differing from the original.

Such are the following :—

Aldred;—Alestan (now Alston);—Bolle (=Bull);—Bondie (=Bond);—Bristwi (=Bristow);—Bruning (=Browning);—Cola (or Cole);—Cotel[1] (now Cottle);—Croc (now Crook);—Done (=Dunn);—Dene (Dean);—Durand (now Durant);—Euing;—Frawin (or Frewin);—Godfrey;—Gode (or Good);—Gest (=Guest);—Gunner;—Godeva (=Goodeve);—Gunter;—Harding;—Hervey;—Mainard (=Maynard);—Osmond;—Osborn;—Rainer;—Radulf (Ralph, or Rolf);—Rainald (Reynolds);—Rozo (or Rose);—Selwin;—Suain (Swayne);—Saulf (=Self);—Tovi (=Toovey);—Turold (Thorold);—Wadard (Goddard);—Warin (Warren). From this last, as a derivative, comes perhaps the Wiltshire name, Warriner.

(*b*) Names, in which the connection with their modern equivalents or derivative is not so clear.

ALWI } These are two forms of the same name, which is not an
ELWI } infrequent one in the Wilts Domesday: from *the one* we have the very common Wiltshire name ALLOWAY, and perhaps also the name ALLIES;—from *the other*, a name well known to the musical world, ELVEY.

ADELELM;—from this name we get ADLAM,—and, I presume also, by prefixing an aspirate,—HEADLAM.

ATHELSTAN;—from this, it is said, we obtain the name HUDDLESTONE.

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[1] This name COTTLE is a very common one in Wilts. The word may be a contraction of *Cote-setla* (or *Coscet*, as it is sometimes written in Domesday), a class of tenants who held small portions of land, generally about *five acres*, for which they were to render certain services to their lord. This class of tenants is only met with in Devonshire, Dorset, Somerset, Shropshire, and Wilts. The fact that out of 1750 *Cotsetlas* (or *Coscets*) registered in Domesday, more than 400 are found in the Wiltshire portion of the record, may well account for the frequency of the name in our County.

ALWIN } These are two forms of the same name,—the one slightly
ELWIN } contracted gives us ALLEN,—the other is preserved in an almost unaltered form, in ELWYN.

ALBERIC;—hence probably comes the name, so well known to all Wiltshire antiquaries,—AUBREY.

ALNOD } These names, which are but different forms of one and
ELNOD } the same, seem now to be represented by that of ALLNUT.

CHETEL;—in almost its original form this name, as CHETTLE, may be seen over a respectable draper's shop in Trowbridge. From the word as first pronounced, with the hard "ch" (kh), we may perhaps have the name KEDDLE; and, as derivatives, KETTLETY or KITTELTY, (in an abbreviated form, KETLEY), the last three being very commonly met with in Wilts.

COLLINC;—Alward *Colline* (one of the very few instances in the Exchequer Domesday of a *surname*) held, CUNUCHE (Knook, a chapelry now of Heytesbury), W. Domesd. 133. The modern equivalent is COLLINGS.

COLSTAN;—the name COLSTON is known in Wiltshire as well as in Bristol. I presume that KELSTON, and, it may be, KELSON, are but modified forms of the same.

ESCUET } From these, which seem different forms of the same
SCUDET } word, we have the name SCUTT.

ELMAR } From these, it may be, are derived the names AYLMER,
ALMAR } and HELMORE.

GOZELIN;—this may fairly be deemed, at all events, one source of the name GOSLING; showing us that we must not always jump at conclusions hastily as to the origin of names, and that it is not necessary to trace this one to the offspring of a silly bird.

GODWIN;—a very common Wiltshire name. Our country folk commonly pronounce it *God'in*, and, with that remarkable tendency that most I dare say have noticed of putting an "s" at the end of certain words (as, *e.g.*, Cottle-s for Cottle), also *God-ins*. From this latter form the transition is easy enough to GIDDINGS, originally perhaps in some

sort a diminutive. We have similar formations by the use of the vowel "i," in such words as—top, *tip*; stock, *stick*; cock, *chick*; fox, *vixen*; muck, *mixen* (dung heap).

HONEWINUS;—from this we have, in a slightly altered spelling, the name UNWIN.

HUGO;—hence come HUGH, HOWE, HUGHES, and HOWES.

HUGOLINUS;—Here the Norman scribe is Latinizing the old word *Hugol*, which is, I take it, the old name HOWELL, other forms of which we which we may have in HOLE and HULL.

(II) Names of PLACES.

ALVEDESTON;—this is the name of a chapelry in the parish of Broad Chalk. Under the entry of CHELCHE (=Chalk) in Domesday (W. Domesd. 47, 204), we have one Aileva (a Latinized form probably of Olive) entered as holding two hides under the abbess of Wilton. The name ALVEDESTON seems clearly enough to mean the town (or village) of Aileva.

ALVESTON;—this is a name now lost, but it is said in Domesday to have been a subordinate manor appurtenant to that of Bradford (W. Domesd. 44, 196). The only place that at all answers to such a description is what is now called Cumberwell, close by Monkton Farleigh. Now as the tenant of the last named place was, in the time of the Confessor, the brother of the well-known Brictric, who bore the name of Alwi (*Ibid*, 131), I venture to suggest that he may also have held as tenant the neighbouring estate, and that from him it was of old called ALVES-TUN (Alwi's village, or holding).

ALDERSTON;—now part of Whiteparish, in the Hundred of Frustfield. In the Domesday Record there is an estate entered under the name FERSTESFELD (Frustfield), assessed at two hides, which was held as Thane-land, both in the time of the Confessor and in that of the Conqueror by one *Aldred* (W. Domesd., 135, 216). I cannot doubt but that from him ALDERS-TON (Aldredes-tún) derives its name.

ALDERBURY;—this word of old was always spelt ALWARDBERIE. The

name is that of a Hundred, as well as a Parish, and is no doubt derived originally from some owner named *Alward.* It is interesting however to observe that the whole estate of Alward-berie, which was afterwards granted to the Cathedral at Salisbury, belonged at the Conquest to the Canons of Lisieux, the larger portion of the same being held by a priest called *Alward* (W. Domesd. 56, 196). This was by no means an uncommon name. One Alward held the church at Heytesbury (*Ibid,* 16);—another, a King's Thane, possessed Swallowcliff (*Ibid,* 133);—a third was an under-tenant at Staninges (Standlinch,) *Ibid,* 103. The holder of Cunuche (*Ibid,* 133), (Knook, in Heytesbury) was *Alward* Colline.

Bishopstrow;—near Warminster, literally *Biscopes-treow, i.e.* Bishop's-Tree, or possibly Bishop's-Cross, if the latter portion of the name be understood in the sense in which it is used in Acts x., 39, "Whom they slew and hanged on a *tree.*" In any case the name is a traditional memorial of *S. Aldhelm,* the first Bishop of Sherborn (A.D. 705), when the diocese comprehended all the country west of Selwood, and the founder of monasteries at Malmsbury, Bradford-on-Avon, and Frome (See Wilts Arch. Mag., viii., 62). The church at Bishopstrow is dedicated to S. Aldhelm. This good and great man died on one of his missionary journeys at Doulting, near Frome, and that Church, as well as the one at Bishopstrow, is dedicated to him.

Bishopston } I name these together because the latter is simply
Bushton } a corruption of the former. In Wilts there are three estates called by this name—1. Bishopston, in South Wilts, formerly termed Eblesbourn (or Ebbesbourn Episcopi), from having belonged to the Bishops of Winchester.—2. Bishopston, in North Wilts, not far from Ramsbury, so called from having been part of the possessions, first of all of the ancient see of Ramsbury, and afterwards of that of Sarum.—3. Bushton (*olim*

Bishopston) in the parish of Cliff Pipard, so-called because it was held by the Bishop of Winchester as "Custos" of the religious house of St. Swithin, Winchester.

Brismartone;—this is the Domesday name for a place near Amesbury that is now ordinarily called Brigmilstone, though still also termed Brigmerston in official documents. There can be no doubt, I think, that it derived its name from Brismar, its owner in the days of Edward the Confessor (W. Domesd. 112). The same person held the immediately adjoining estate of Milston (the birthplace, by the way, of Addison, the poet), and from the two being thus connected the corruption in the other name probably arose;—in fact, in course of years, they came to be called Milston and Brigmilston.

Brixton Deverel;—without doubt this Deverel derives its distinctive name from the well-known Brictric, the ambassador of King Edward to the Court of Flanders, and who is entered in the Record as having held the estates in the days of the Confessor. Not only is the name, in the *Testa de Nevil*, (p. 154) called *Brichtrices-ton*, which can admit but of one interpretation, but the history of this manor is distinctly traceable from *Brictric* to the present owners. W. Domesd. 55. 212. Like many other estates belonging to the same English nobleman, it was first of all confiscated and given to the Queen Matilda, then bestowed by her on the Abbey of Bec in Normandy, and ultimately, as part of the possessions of an alien monastery, given by the Crown to the Dean and Canons of Windsor. The famous spot called *Egbert's Stone* (of which many have thought *Brix-ton* a contraction), where Alfred collected his forces for an attack on the Danes, was possibly not far from this place, but was certainly not the origin of the name.

Draycot Cerne;—this manor is mentioned because it was held by a peculiar tenure, which, from an entry in the Exon Domesday Book, would seem to have dated from early

times. The owner is there called GOSFRIDUS MARESCAL, *i.e.* Geoffrey the *Marshal.* The estate was held by the Cernes and their predecessors, the family of Venoir, by the service of supplying "the third rod of marshalsea in the king's household," by which is meant perhaps the supplying one of the vergers or wand-bears to attend on the marshall; the "third rod's" post, acrording to the *Testa de Nevil,* p. 147, being *ad ostium coquinæ* at "the door of the king's kitchen." Aubrey 229. It has been commonly thought that "the fetter-lock," which was used by the Long family, who became in the 15th century the owners of Draycot, was symbolical of this tenure, but reasons are given in an Article in a recent number of *Notes and Queries* (May 20th, 1871,) for doubting the correctness of this opinion, and for believing that it was an emblem of the honourable office that for some time before they had held, in virtue of an estate at Wraxall which was appurtenant to it, as Bailiffs of the Hundred of Bradford.

FITTELTON;—this place in Domesday Book is called VITELETONE, (W. Domesd., 113) and the owner in the days of the Confessor was VITEL, a name which looks like Vitellius "writ short," as though people then as now were fond of borrowing names from those of great people. It is no stretch of imagination, I hope, to believe, that from this early owner, or some namesake, came the name of the manor, which means simply *Vitel's* town (or village).

HARDENHUISH; — this place, which is close to Chippenham, belonged according to the Domesday Record, to Ernulf de Hesding (W. Domesd. 78). This word, which was sometimes spelt *Harden-hewishe* (Inq. p. m., 43 Hen. III), I conecive means literally "Harding's estate."[1] The

[1] In a charter of Æthelwulf of the date 854 (*Cod. Dipl.* 270) we have the grant of one cassate at a place called *Heregeardinge—hiwisce,* which can certainly only mean the "*estate of Harding,*" or possibly of the clan so called, as the word itself, a very common one, was originally no doubt a patronymic. See Leo on "Anglo-Saxon Names" (translated by Williams) p. 35. Kemble's "Saxons in England," i., 465.

termination "*huish*" is the Anglo Saxon "*hiwisc*,"[1] which signifies a family property, and which occasionally is used as an equivalent to a hide of land. Our word *hive* (whence, through an intermediate form *hiven-ig*, comes *hunig*=honey) is etymologically connected with it. There is no such tenant as HARDING named in Domesday, but, on referring to the entry concerning TEDELINTONE (Titherington Lucas, W. Domesd. 84), a neighbouring estate, you find the record describing the tenant at that time as Willelmus "Durus." Is it just possible that this word *Durus* is an attempt to translate the English name *Hard*-ing? If so, it is interesting to see that the name existed in the neighbourhood of which we are speaking.

RUSHMERE;—this is an estate on the borders of Dorset, forming part of the present parish of Tollard Royal. Under TOLLARD in Domesday Book we have one ROZO (W. Domesd. 73), the tenant in the days of the Confessor of two hides and a half. I submit, as a possible etymology for the present name, ROZO-MERE. the latter portion of the word meaning "*boundary*."

SARISBERIE;—this is the Domesday Name for what we call OLD SARUM (W. Domesd. 23). The Romans called this place SORBIODUNUM. I cannot bring myself to believe that SARUM is simply the contraction of the Latin name. Indeed, I have never yet seen an etymology suggested that was satisfactory. The oldest spelling is found in the Saxon Chronicle, where, in describing a battle in the neighbourhood in the middle of the sixth century, it is called SEARO-BYRIG (Chron. Sax. A°. 552). But as no portion of the Saxon Chronicle was compiled till the end of the ninth century, this entry simply proves that, about A.D. 900, such spelling represented the pronunciation of the word at that time. Till the time of Bishop

[1] The IWIS of the Wilts Domesd. (p. 144) is the modern *Huish* Doignel. In like manner the HIWIS of the Somerset Domesday is the modern *Huish* Champflower. "Collinson," iii., 509, 530.

Osmund, SARISBERIE, or OLD SARUM, could have been little more than a military fortress; the town grew round the Cathedral which he founded there, carrying out in this the intentions of his immediate predecessor, Bishop Herman. Now at Laverstock and Winterbourn Ford, both places in the neighbourhood of Old Sarum, you have in Domesday, one SARIC entered as an owner (W. Domesd. 143). And he held these manors as Thane-land, and in the former case had inherited the estate from a brother, by name GEST. Is it impossible that, after all, SARIS-BERIE may mean simply the "fortress," or it may be the "hill," of SARIC, a name, at all events, that seems to have been borne by holders of land in the neighbourhood. But this of course is mere conjecture, and must be taken for what each thinks it worth.

TOLLARD;—one portion of what is Tollard Royal parish was in the days of the Confessor held by one TOLI (W. Domesd. 102); possibly the name may be from him, and may mean the *enclosure* of TOLI:—as though *Toli-geard*, contracted afterwards into *Tollard*.

WITHENHAM; this Name (also spelt Wittenham, and Witenham), was that of a parish in the Hundred of Bradford (See W. Domesd. 26). Though the name is now lost, a list of its Incumbents from 1299—1421 is still preserved. In 1428 it was united to Farleigh Hungerford, and is the small portion of that parish which is in Wilts. At the time of Domesday it was held under the Bishop of Coutance by a tenant of the name of ROGER *(Ibid,* 26.*)* By comparing entries in the Exon Domesday for Somerset relating to neighbouring estates held by the same Bishop (see *ff.* 128, 132, 134,) we can hardly help the conclusion that he was the same as ROGER WITEN, and that from his surname *Witen*-ham derives its appellation.

WOOLLEY;—This is the name of a tything in Bradford-on-Avon parish. In Domesday, one ULF (or WLF) as a King's Thane, held BODEBERIE (W. Domesd. 139), a name now

given, under the form of BUDBURY, to a small portion of the upper part of the town, but formerly applicable to a larger extent of land and certainly including a portion of what now is comprised in WOOLLEY. Now in the *Testa de Nevil*, this last place in an enumeration of the dependencies of Bradford is called WLF-LEGE. Can we doubt its being a memorial of the Anglo-Saxon Thane, who held lands here, as it would appear, both in the time of the Confessor and also in that of the Conqueror?

II. Memorials of those who lived in the days of William the Conqueror.

(*a*) Names of PERSONS.

Such names as the following are still preserved in a form, little, if at all, altered from the original:—

Albemarle,—Crispin,—Drew (from Drogo or Dru);—Fitz-Gerold, — Fitz-Gilbert, — Gifford,—Humfrey;—Lacy,—Mortimer — Mohun, — Moreton (the name Maci de *Moretania* is possibly its origin),—Rivers (perhaps from Gozelin de *Riviere*),—Thurstan, or Turstin,—Waleran, (or Waldron), the latter, it may be, only another way of spelling the name of the well-known huntsman of Domesday.

In those which are subjoined, in alphabetical order, the connection is not at first sight so apparent:—

AUBREY;—derived probably from Albericus.

BLUNT;—in the Wilts Domesday under LAVENTONE (p. 126), we have "Robertus *Flavus*" entered as a land-holder;—that is literally Robert "the fair," or "le *blond*."[1] Hence the family name Blount (or Blunt). In the *Test. de Nev.* pp. 141, 153, we have one knight's fee held by Roger Gernon at Laventon (West Lavington) of William Blunt (de Willelmo *Blundo*). In the *Inq. Non.* (1340) we have

[1] In like manner Ulwardus *Albus* in the Exchequer Domesday for Somerset (*fol.* 87), is the Ulward *Wite* (=white) of the Exon Domesday for the same county. (See *fol.* 106.)

"Galfridus le *Blount*" among the Jurors in the account of the Prebend of Lavington Episcopi.

Bruce;—this name, it may be, comes from the family represented, at the time of Domesday, by "William de *Braiose.*"

Churchill;—in like manner this name is to be traced to that of the Domesday "Roger de *Corcelle.*"

Druce;—this may be, in its original form, that of Herman de *Drewes.*

Ferrers;—the noble family having this name, who were at one time Earls of Derby, were descended from Henry de *Ferieres* (W. Domesd. p. 108). By some the name has been supposed to have been originally connected with *ferrura,* which is explained in a Charter of Henry V. to be the office of shoeing horses, and that the family above-named derived it from having held the office of the "King's *farriers.*"[1]

Fellows;—this name *may* come possibly from that of William de *Faleise.*

Hussey;—this is derived from that of Walter *Hosatus* (W. Domesd. 103, 154), so called because he was "*hosed,*" or "*booted.*" The crest of the Husseys of Wiltshire, is,—"a boot sable, spurred or, topped ermine."

Lisle, or De Lisle;—a name that occurs in Domesday frequently as Hunfridus de *Insula.* See Wilts. Arch. Mag. ii., 261.

Lane, or De-lane;—the original of this name is probably the Hugo *Lasne* of Domesday (p. 120), and the derivation of it amusing. He is called elsewhere Hugo *Asinus* (as though the name were originally "L'Asne," the older form of what is now contracted into L'âne), whether in reference to his personal or mental peculiarities we are not told. This sort of name was not uncommon in Norman times. The names given to some of our early Norman

[1] See Hampson's "Origines Patriciæ," p. 294.

Kings, such as *Rufus, Beauclerc,* and *Cœur de Lion,* are illustrations of this custom.

Latimer,—the holder of Ponberie (Pomeroy, near, Bradford-on Avon) in the time of Domesday was Osmund *Latimar* (W. Domesd. p. 130). The origin of the word would seem to be Latin-arius (=*Latin*-er;)—one, that is, whose skill in Latin was presumed to enable him to understand other languages. Sometimes we have *Interpres* used as a synonym of *Latimar.* Blount says "Beneath Whittington in Shropshire, one Wrenoe, son of Meuric, held lands by the service of being *Latimer* (*i.e. interpreter*) between the English and the Welshmen. The word *Lladmar* is used in the Welch version of Job xxxiii, 23, "If there be a messenger with him, an *interpreter* &c." See Kennet's Paroch. Antiq. (Glossary) :—also "England under the Normans," (p. 20).

Mauduit,—In W. Domesday (p. 122) Gunfrid *Maddoith* (or *Malduit*) is recorded as the holder of Calestone (Calstone). In the Exon Domesday the name is written Gunfridus *Maledoctus i.e.* the "ill-taught," or "unlearned," in fact, as we might say colloquially, the "*dunce.*" The Mauduit family were land-holders in 1316 at or near Calstone. (See W. Domesd. p. 172.)

Marshall;—derived from the *Marescallus,* an office in the Norman Court corresponding with the "Steallere" and "Hors-þegn" among the Anglo-Saxons, whose duties consisted in taking charge of everything connected with the royal equipments. The holders of such an office became naturally enough, in course of time, the head of the active and disposable military force of the palace. Originally, the word we now know as *marshal,* would not seem to have been an appellation necessarily of any great repute. In France, to this day, farriers are called *mareschaux,* and Matthew Paris in 1252, uses the word *marischalcia* as the place for putting up horses. The word as Max Müller

tells us is derived from the German, where in the old dialects *Marah-scalc* meant a farrier, from *marah*, a mare, and *scalc*, a servant. The care of the royal stables, whether in person or deputy, would seem to have been the duty of the *Marescallus* at the time of Domesday.

PAYNE;—this may be the modern form of the name *Pagen*, which was that of the Domesday tenant of CONTONE (Compton Basset). W. Domesd. 85.

PINCHIN;—this, not uncommon name in the neighbourhood of Bradford, may possibly have a Norman origin. It would easily be derived from that of Richard *Puingiant, i.e.* literally, the "fighting" or "valiant."

PINKNEY;—in this case without doubt, this very well-known name is derived from that of William de *Pinchengi*, who held a small portion of what is in Domesday called STOCHE (=Bradenstoke). W. Domesd. 233. See a few pages below under TOCKENHAM PINKNEY.

SPENCER;—Robert "*Dispensator*," *i.e.* the "Steward," is recorded as interested in lands at DECHEMENTONE (Ditchampton) W. Domesd. 184. This officer corresponded with the Anglo-Saxon "*Stiweard*," who had the care and distribution of the provisions,—in short was the manager of the household expenses. Hence in the Latin of the early ages he was called a *dispensator*. From this came the names *Le Despencer*, and *Spencer*.

(*b*) Names of Places.

These are not numerous, and the examples we have chiefly consist of those, in which we have the name of the Norman owner, or tenant, added to the original English name.

ASHTON GIFFORD;—this is a tithing in the parish of Codford St. Peter. It is accounted for in Domesday Book under COTEFORD (W. Domesd. pp. 117, 210), an estate which in the eleventh century belonged to Osbern *Gifard*, from whose family it derives its distinctive appellation.

BURBAGE, COWLESFIED, GRAFTON. These three are mentioned together because estates at BURBAGE (Buberge), COWLESFIELD (Cuvlestone) and GRAFTON (Grastone), belonged at the time of Domesday to Richard *Sturmid*, as one of the "Ministri Regis," or King's Officers (W. Domesd. 144, 127, 145). The second of them was called Cowlesfield *Esturmy*, in memory of its Norman owner. The other two are in, or close by, Savernake Forest, and were held in the time of the Confessor by one Aluric the Huntsman (Venator). The common badge of such a tenure was a *horn*, as may be seen at Great and Little Langford, where there are sculptured stones with this emblem; memorials there, it may be, of some of the descendants of Waleran, the Huntsman (See W. Domesd. 105, 106). In like manner, the *Esturmy Horn*, now in the possession of the Marquis of Ailesbury, is the traditional memorial of the original tenure of portions of Savernake Forest, which, in the time of the Conqueror, were held by Richard *Sturmid* (or *Esturmy*).[1] See Wilts Arch. Mag., vi., 265.

ELSTON;—this is a tithing in the parish of Orcheston St. George and accounted for in Domesday under ORCHESTONE (p. 117). It belonged then to Osbern Gifard. In the thirteenth century (Test de Nev. 142) it was held by *Elias* Giffard, one, no doubt, of the same family. Hence, most probably, the name, which is sometimes spelt *Elyston*, *i.e.* the town or village, of *Elias* (Giffard).

FONTHILL GIFFORD This estate accounted for under the name of FONTEL (W. Domesd. 115) belonged, at the Conquest, to Berenger *Gifard*, and still preserves the memory of its Norman owner.

GUSTON;—this is an estate in the western part of the present parish of Broad Chalk. It seems to be accounted for in Domesday

[1] In an Esturmy seal described by Canon Jackson in Wilts Arch. Mag. ii., 388, there is, in a roundel at the top, a *bugle horn*, in allusion to their office as Rangers of Savernake Forest.

in the three hides held in CHELCHE (Chalk) by *Girard*, under the Abbess of Wilton. From an entry in the *Test de Nev.* (141. 157.) it seems clear enough that *Guston* is a contracted form of *Girardes*-ton, and so the name a memorial of its old occupier. W. Domesd. 47. 204.

LANGLEY BURREL } The name of the principal tenant at Domesday was *Borel*, and hence the distinctive name. (W. Domesd. 71. 222.) The family of *Burel* continued to hold the name till commencement of the fourteenth century. Aubrey p. 95.

LANGLEY FITZ-URSE } One of the subordinate tenants of LANGHELE (=Kington Langley) at the time of Domesday was *Urso*. There can be little doubt that in the name called Langley Fitz-*Urse*, we have a memorial of his descendants. W. Domesd. 32. 221. Aubrey 146.

LITTLETON DREW } This estate is accounted for in Domesday under LITELTONE (p. 27). At that time it was held by one Robert, under the Bishop of Coutance. By referring to the Devonshire Domesday, we find no less than seventy-three estates in that county held under the same Bishop, by Drogo (or *Dru*) Fitz-Ponz. Now this same Drogo Fitz-Ponz is entered in the Wilts Domesday (p. 119) as the Tenant in Chief of ALDRINTONE (Alderton) a manor *immediately adjoining* Littleton Drew. Coupling this with the fact, that Walter *Dru* was Lord of the Manor in 1290 (see *Test de Nev.* 142. 158), and that Walter *Drew* (probably the same person) occurs as such, in 1316, in the *Nomina Villarum*, we cannot help the conclusion that in this name we have a memorial of a Norman owner or occupier. Wilts Arch, Mag., xii., 22.

RODBOURN CHENEY } The tenant of this estate at the time of Domesday was Reginald, whose surname, as we learn from an entry in the Exon Domesday was *Canut*. (Exon Domesday *f.* 163). According to the Test de Nev. (p. 138.) it was held in the 13th century by Radulf de *Chanu*. W. Domesd. 92. Aubrey 147.

Shrewton ;—this estate is accounted for in Domesday under the name of Winterburne (W. Domesd. 242) and belonged then to Edward of Salisbury, who held the office of Sheriff of Wiltshire. In the Hundred Rolls (II. 254) and Test. de Nev. 135 we have the entry as Wintreburn *Scireve*-ton. We can hardly avoid the conclusion that the former part of the present name is a corruption of *Scir-gerefa* i.e. *Shire-reeve* (=Sheriff) and so a memorial of the office borne by its Domesday owner.

Somerford Mauduit. } The tenant of Sumreford (=Somerford) under the Abbot of Malmsbury, as chief lord, was at the time of Domesday *Gunfrid*, who is, without doubt, to be identified with the Gunfrid *Maldoith*, who held Witelie (=Witley,) in the parish of Melksham. W. Domesd. pp. 122, 243. The occurrence of Somerford Mauduit, and Witlee, among the manors held by successive generations of the Mauduit family, seems clearly to prove the point, and to suggest the real interpretation of the distinctive name. (See W. Domesd. p. 235.)

Tockenham Pinkney. } The name Pinkney has been already explained as having been derived from that of William de *Pinchengi*. He held, under Edward of Salisbury, a portion of Bradenstock (Bradenstoke), in which were included Lyneham and West Tockenham. W. Domesd. 148. The name Tockenham *Pinkney* is thus a memorial of the Norman tenant.

Enough, it is hoped, has now been written, to shew that we have still, in Wiltshire Names, whether of persons or places, many memorials of those who well nigh a thousand years ago, were owners or occupiers of the land. Such an attempt must always be more or less tentative, and no writer can hope in all cases to gain the assent of critics to his conclusions. Still, despite of what have been called, "ingenious examples of verbal engineering,"—(if any of the instances given be deemed such)—it must freely be admitted, that the memory of men who lived in the days of the Conqueror,

and, to *a much greater extent,* of those who owned or occupied lands in Wilts in the time of the Confessor, still lingers amongst us. It tells us, at all events, very clearly, the nature of the revolution effected by the Norman Conquest. Some years ago we all believed that the English were exterminated root and branch, but now we know,—and in these English names still remaining in such numbers we have in some sort an incidental confirmation of the fact,—that the revolution was as bloodless as it could be. The principal landowners, who were his active opponents, were supplanted by the Conqueror, but the rights of the Church were all along respected, and the tenants for the most part were not interfered with. The people changed masters, but held their land in the same way, and under the same customs, as before.

Nor must we forget, that, during the ten intervening centuries since Domesday Book was compiled, many circumstances, such as the merging of smaller into larger estates, and the successive changes of ownership, have all tended to obliterate many of the older names. Hardly a neighbourhood is there in which we do not seek in vain for one or more of the ancient names that once existed. Thus, in the immediate vicinity of Bradford on Avon, there are two places called in Domesday Book respectively "Berrelege" and "Withenham," the names of which have quite disappeared, whilst the very site of the former is a puzzle to archæologists, and yet these were two distinct parishes, and in the Bishops' registers we have the names of the incumbents appointed to them during the fourteenth and fifteenth centuries. And so our examples, even though they be not very numerous, are a testimony, however slight, to that feeling which instinctively reverences the past, and shows itself in so many of our acts, both private and public, in a steady and persistent resolve to be guided by ancient precedents. Even if exigencies so demand that we pull down a portion of our walls, we seek to rebuild them on the old foundations. Our motto, as Englishmen, has been hitherto—long may it continue so—*Stare super antiquas vias.*

William Henry Jones.

Bradford-on-Avon, July, 1871.

Bishop Tanner, his Family and Writings.

By the late Rev. Edward Wilton, M.A.,

Of West Lavington. (1)

WHEN, in compliance with the request of our Committee I engaged to prepare a Paper to be read at one of the Evening Meetings of the Wilts Archæological Society, I mentioned, that "I had collected a few Notes illustrating the Biography of a distinguished Wiltshire writer on Monastic History, a native of the Parish adjoining the place of my residence for the last 35 years," I was referring to the eminent Bishop Tanner; son of the Reverend Thomas Tanner, Vicar of Market Lavington: this decided the subject of my promised paper.

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[1] This paper was prepared to be read at the Society's Meeting at Devizes in 1863; but for want of time it remained unread. Since the author's death, the MS. has been placed in my hands, to be looked over, before being printed. Between 1863 and 1871, some additional memoranda about Bishop Tanner had fallen in Mr. Wilton's way, which he had preserved, but had not woven into his paper. This I have done: and this with a few verbal alterations, is *all* I have done. In sending it now to be printed, *as* "Mr. Wilton's Paper," I will not say that I *claim*, but I use, what I am sure the Wilts Archæological Society will most readily grant me in their pages, a little space for a few lines of Notice of One who, too diffident of himself to appear often as an original writer, still served the Society in a quiet way, long and well.

He was born at Edington near Trowbridge, about A.D. 1797, and he took his degree of M.A at Queen's Coll. Cambridge. For a very accurate description of his character, and special ability, I am glad to borrow from an obituary notice which appeared in the "Devizes Gazette," the week after his death. "Up to the time of his death he held the office of Master of the Endowed School of West Lavington, to which he was appointed, we believe, in the year 1832, and he had now for many years been officiating minister of the Chapelry of Erle Stoke, where his ministrations and his earnestness in endeavouring to promote the welfare of those committed to his charge were well appreciated. As an archæologist he was accurate and persevering, and many are the correspondents who would be ready to confess their obligations to him for valuable suggestions as well as for laborious investigations into points which required careful research and nice discrimination. He was a complete master in heraldry, not only so as to be a most interesting companion to any who were desirous to trace the origin of the various quarterings on their old family shields, but he had a more than

I was indeed, little aware of the difficulties connected with an arrangement of my detached items of information; and the still greater difficulty of producing from such scanty materials a narrative satisfactory to the Biographical enquirer, and at all interesting to general readers.

None, except those who have undertaken similar tasks, can be aware of the unavoidable errors, and the protracted, and often fruitless investigations, that arise from want of access to books of reference. Many things must necessarily be left to conjecture, when there is rare opportunity afforded, of applying to such sources of information, as lie in the MS. Department of the British Museum; the Registry of Doctor's Commons; or (especially for the present purpose) in the Bodleian Library at Oxford; where Bishop Tanner's Collections are deposited.

Still, the notes which I have, however imperfectly, been able to put together may, at some future time, assist any compiler of Parochial History, who may describe the Memorabilia of Market Lavington; the "Cheping Lavington" of Camden; or as Tanner calls it, in his additions to Camden, "Steeple Lavington," or "East Lavington."

From a correspondence with the Rev. Thomas Tanner, Vicar of Burlescombe, Somerset, I learn that Tanner is a very common Surname in the West of England. We find it in *Wiltshire*, at an early date; I mean early, in reference to any Heraldic Visitation. In 1569, Roger Tanner was Mayor of New Sarum; the name has ever since been associated with that City; and a few years back, perhaps even now, a family of Tanner resided there, who are stated in Berry's and also in Burke's Heraldic Dictionary, to *use* the Arms of Tanner of Court, Cornwall; the self same Arms which Bishop

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common knowledge of the science of blazoning arms or ensigns armorial. His store of knowledge on such matters was somewhat marvellous. Hence he was a valuable contributor to the pages of the original "Gentleman's Magazine" and of the more modern "Notes and Queries." He died, in his 74th year, on the 4th and was buried at West Lavington on the 8th May 1871.

J. E. Jackson,
Hon. Canon of Bristol.

Leigh Delamere,
Chippenham.

Tanner *assumed* (I believe I use that word fitly) when he became Chancellor of Norwich. To this I shall allude hereafter.

As regards the Cornish and Devonshire Family of the name, there are five descents given in the last Visitation of the West of England. The enrolled Pedigree records Marriages with the families of Whiting, Trégarthen, Tilley and Roscannock; at that date 1620 Richard, eldest Son, was aged 26; Lawes was 2nd. Son; Arthur 3rd Son; John 4th Son; all duly registered as the then existing generation. There is no mention throughout the entire Pedigree of any member who had migrated into Wiltshire; and the name of Bryan Tanner certainly does not appear, a Person we know then to have been living; and therefore we may venture to say that he was unconnected with the Cornish Tanners, by descent from a common ancestor.

The only printed Pedigree of Bishop Tanner's ancestors with which I am acquainted is that found in Blomefield's Norfolk. He was intimate with the Bishop, who speaks of him as a very able and accurate County Historian: Blomefield therefore must have had the opportunity of carrying up the Bishop's Pedigree, had he been enabled so to do; but he commences it with his *Father*, the Vicar of Market Lavington. I can account for this; and can rise one step higher in the Bishop's genealogy, through the kindness of the Rev. John Griffiths, keeper of the Archives at Oxford. There can be no doubt that his Grandfather, was Bryan Tanner of Erchfont; and that he was a man in a humble condition of life. Certain it is that such a Person was then residing at Erchfont; for I find in the Baptismal Register of that Parish, under the year 1635, "Elizabeth Daughter of Bryan Tanner." I expected to find under 1640, (the known date of the Bishop's Father's birth) the entry of a Son of Bryan Tanner, baptized Thomas: but I sought in vain. At, and about that date, the ink has faded from the surface of the coarse and greasy parchment; and it would require some chemical application, to make most of the entries of that period legible. When in 1635, Bryan Tanner's name is mentioned, there is no addition, as in some other cases, of the words "Mr." "Gent." or "Esq."; nothing leading us to suppose that he was any thing more than an ordinary Parishioner; the evidence of this fact, will presently appear from

Thomas Tanner's Matriculation Entry, in 1665. All this seems to substantiate a tradition, very commonly received at Market Lavington, that the Father of Tanner, (Grandfather of the Bishop,) was a poor Weaver or Spinner; (in those days the common occupation of a large proportion of our rural population in this district;) that a benevolent Lady, passing by Bryan Tanner's Cottage, found the youth constantly poring over books, when his days work was done; she discovered him to be a lad of superior abilities, and of attainments above his rank in life; had him educated; sent to College; and in due time, the Spinner's Son, was inducted Vicar of Market Lavington. Some years since, a house, now taken down, was by the same tradition, pointed out as that in which Bishop Tanner's forefathers had dwelt; either before or after the known date of Bryan Tanner's residing at Erchfont. The Memorandum of Matriculation in the University Register, (for that of his House, (St. Alban's Hall) as I found upon application, does not go back so far by many years), is as follows. "Au. Alb. 1665 Mar: 9. Thomas Tanner, Anno 20, fil: Bryan T. de Urchfont Wilts. pl. pps." I am informed that the abbreviation "pl. pps." (which means "plebei pauperis;" the Son of a poor plebeian) indicates that in this, and like cases, the youth matriculated was excused payment of University fees, on the ground of poverty. If we compare the date of his Matriculation with the age stated on the Monument, he must have been 25 or 26 when admitted at Oxford; perhaps in transcribing, or in making the entry from Notes, the Cypher may have been substituted for 6. In those days Halls were much cheaper places of education, and required shorter residence than the Colleges, and this seems another item in the proof, that he was one of the class, then described, as poor Scholars. Indeed it was at that period a customary charity for persons of wealth, to provide needy and meritorious young men, with University Education; entering them as Sizars at Cambridge; or Servitors at Oxford. Thomas Tanner took his B.A. degree as of St. Alban's Hall; and does not appear to have graduated higher at any subsequent date. This was frequently the case, when Clergy ceased to keep up their connection with the University, and had settled down in Country Parishes. I mention it, because it explains the

absence of his, and of other University mens' names, in the published List of Oxford Graduates. Had he continued at Oxford, from 1668 to 1671; especially, had he been employed as one of the Chaplains of Christ Church, we may fairly suppose, he would have proceeded to the Degree of M.A.

The Vicarage of Market Lavington, has, (with hardly an exception) been held by men who were formerly Chaplains of Christ Church and were presented to it by the Dean and Chapter. Thomas Tanner was instituted to the Vicarage 1671, on such presentation; he was then about 31 years old: there are extant, Lists of Chaplains of Christ Church; one compiled, I believe by Bishop Tanner himself who certainly would not have omitted his own Father's name, if he had ever been officially connected with that foundation); but the Father's name does not appear as one of those Chaplains. The living was then of small value; perhaps all the Students and Chaplains of the date, had declined accepting it; and so a stranger to Christ Church obtained it, for the kind informant who tells me that Tanner's father was not in the roll of Chaplains, goes on to say, "in the Christ Church list of Market Lavington Incumbents his name *is* found; with this peculiarity; there is merely the name; no note of his University, Academical degree, or connection with the College; whereas these several particulars are exactly and specially noted, in the cases of every preceding, or succeeding Vicar." I think therefore he was unconnected with the Patrons of the living. Perhaps, in this instance, as in countless others, which I could produce from this locality, the Lessee of the Rectory, had obtained the right of nominating to the Vicarage for one turn, or during the continuance of the Lease; and that tho' the College preserved the right of issuing the *presentation* itself, yet such Lessee was at liberty to *name* the Vicar to be presented: or there was some arrangement or exchange made with Tanner, or on his behalf, which brought him instead of another (possibly some Christ Church Chaplain) to the Vicarage of Market Lavington. I am rather strengthened in the latter opinion, by finding in the Wiltshire Institutions, that Arthur Brett, the former Vicar, *resigned* the Living; and thus made way for Tanner; in short I believe that Tanner did not obtain it, from personal claims

upon the Society of Christ Church. In connection with this presentation, Sir Thos. Phillips, in his printed Volume, called "Wiltshire Institutions," inserts against Thomas Tanner's Institution, Ad. 1671, a remark; "*Quære,* if afterwards Bp. Tanner? We may certainly say No!—at this date *Bishop* Tanner was *unbeneficed*; because *unborn*. It was his Father, who was the New Vicar of Market Lavington. He appears to have waited, nearly two years, before he married his first wife, whose family resided at Market Lavington. The Register of that period, under April 20th, 1673, contains the following entry; "Married, Thomas Tanner, Vicar, and Sarah Willoughby by Banns." There is little to be gathered from the Register about the family of the Lady,for it dates only from about the time of Tanner's Incumbency; the older volumes are missing; so that a full account of the Willoughbys, cannot thus be obtained. I was however, whilst compiling this Paper, fortunate in obtaining sight of the Court Rolls of Sir John Danvers, Lord of the Manor of Lavington, Anno Dom. 1646 to 1654: where I found, Joseph Willoughby, as the general "Foreman of the Homage;" always with this addition to his name, "Gent." I am inclined from this circumstance to infer, that he was an Attorney; probably manager of the property under Mr. Yorke, the Steward of the Court; who had his residence at Fiddington, (in right of his Wife, Anne, daughter of William Bower, Esq.): the same "Mr. Wm. Yorke" who is mentioned by Aubrey, as one ready to help in compiling a Wilts County History. These Willoughbys were an illegitimate branch of the Willoughby de Broke family: descending from a natural son of Sir William Willoughby, one of whose representatives settled in Lavington, and intermarried with the Daunteseys. Their pedigree is given in Sir Richard Colt Hoare's Modern Wilts. The supposed last heir male of the Market Lavington Willoughbys, was a medical man, and died there, unmarried, in the memory of some old persons still living. After the marriage of Thomas Tanner and Sarah Willoughby we naturally examine the Baptismal Register; and under 167$\frac{3}{4}$ the birth of their first Child, the future Bishop of St. Asaph, is thus registered. "Baptized Feb. 1st. Thomas, Son of Thomas Tanner, born Jan. 24 "after midnight, being Saturday Morning, and Sarah his Wife."

This would be either on the day before, or upon the festival of St. Paul's Conversion. The entry is ambiguous, but I think it means that the Bishop, strictly speaking, was born on the 25th. This will account for the selection of that day, for the distribution of the Bishop's Charities in his native place, to which I shall advert hereafter. Britton says (I presume from the authority of Ballard's Letters in or from the Bodleian Library,) that the Bishop's early education was carefully conducted by his Father. Herein he may be correct; but when he goes on to state that he was sent to Queen's College, *Cambridge*, he has either been misled by others, or an error of the Press has escaped uncorrected. The Bishop was entered 1689 at Queen's College, *Oxford*; a College then selected by Wiltshire men, as affording special advantages to natives of that County, in appropriated Scholarships, and Fellowships. Here he took his B.A. degree 1693; and doubtless prosecuted his favourite studies during his entire Undergraduateship, with all the diligence excited by the facilities he enjoyed. He made many valuable, and lasting Antiquarian acquaintances; as his letters then and after testify; particularly that of the celebrated, but somewhat peculiar, and unhappily tempered man Anthony á Wood. Poor "Tantony" as Tanner calls him, notes in his Diary, "that in 1695 I and *Sir* Tanner," [the Academical designation of a Bachelor of Arts,] "went together to Binsey Chapel; where in the Porch I read, and told him the whole history of Saint Frideswide, and the Antiquities of that Chapel; thence to Godstow, where I told him the Antiquities of that place, and the matter of Lady Edyve and Rosamond; so eat a dish of fish, and went, thro' part of Wolvercote, home." In one of his Letters, written after he was made Bishop, Tanner mentions *subscribing* at London House for Deacon's orders in Dec. 1694; and his friend Wood in his Diary, under date Jan. 17th 1695, makes this entry; "Mr. Thomas Tanner entered his place of Chaplain of All Souls." This Chaplainship, was, to use a common expression, the making of Tanner; and there is very little room left for doubt as to the manner in which this deserving young scholar gained his first preferment; leading eventually to a Mitre, and the distinctions therewith connected. At that date, 1695, James, the *good* Earl of Abingdon as he is called

on his Monument, was just settled down on the Lavington Estat which he held by descent thro' his Mother, one of the Coheirs of th Lees of Ditchley, from Elizabeth, heiress of Sir John Dauntese and second wife of Sir John Danvers the Regicide. James, Earl Abingdon, was the intimate friend of the then Warden of All Soul the Hon. and Rev. Leopold William Finch; who dedicates to h Lordship, an edition of Cornelius Nepos; and, in so doing, us expressions of high eulogy, and special esteem. Lord Abingdo doubtless was well acquainted with the Tanners, both Father an Son. John Aubrey was a constant guest at Lavington-Dauntse Manor House, ("his cousin's" as he delighted to call it,) and w know he was there in the summer of 1694 as he then compiled h Miscellanies; and in dedicating them to Lord Abingdon, bears just, but honorable tribute to the merits of young Tanner, in thes words: "It was my intention to have finished my description Wiltshire, half finished already, and to have dedicated it to you Lordship; but my age is now too far spent for such undertakings, have therefore devolved that task on my countryman Mr. Thoma Tanner," "[the present worthy Chancellor of Norwich" is inserte in Edition of 1720,] "who has youth to go through with it, and genius proper for such an undertaking." Lord Abingdon was doubt less inclined to befriend the Vicar of the Parish adjoining his resi dence, a country Parson with small preferment, and a large family who had three Sons to educate for the Church. We may well sup pose that his Lordship would apply to his friend the Warden of Al Souls, to see what could be done for young Tanner, so as not to re move him from the University, and from the help there to be foun in connection with his favorite literary pursuits. That this was mos likely the case appears from the letters written about this time b the Vicar Tanner to his Son, then a resident in Queen's Coll., i which there are frequent allusions to "your business;" "the matte you wrote about" mention of the time "when Mr. Moore, the Earl' Chaplain, expects his Lordship's return;" with many like intimation that steps were being taken near home, connected with the Son' advancement at Oxford. But the point is set at rest by the follow ing Letter, from the Vicar to his Son, Oct. 13th 1694 among th

Tanner MSS. at Oxford (Tanner 25, 238); scheduled as "Steps for procuring him a Chaplainey or Fellowship at All Souls."

"Tom,—I went to my Lord Abingdon this morning according to your desire: who willingly granted his letter and sent Mr. Trow with Mr. Pricket to Longleat* and His Honor and Mr. Moore and your old friend Mr. Aubrey were very glad to hear you had y^e^ promise of y^e^ place. I am so much obliged to y^e^ master for all his great favours to you that I cannot express my thankfulness enough, w^ch^ I would have you present to him with my most humble service. Mr. Pricket hath been very vigorous in y^e^ busyness: send me word what will satisfye him for his pains and charges of his journey by Tuesday's post, that I may receive your letter Saturday next and I will send by Barter who intends to come to Oxon Oct. 22. I think it y^e^ best way for you to consult with y^e^ master what will fully content him, because you employed him. If this place will maintain you, I should be glad, if it will not I will do y^e^ best I can for you. God grant that you may live to his glory and to y^e^ good of mankind. I wish you much joy of it. I am forced to be shorter than I intended because 'tis pretty late on Saterday night. So with our hearty love remembr'd, desiring God's blessing continually to attend you, I rest,

Your Lov: Father,

THO. TANNER"

"Lavington,
Oct. 13, 94."

"For Mr. Tho. Tanner,
at Queen's Coll:
in Oxon."

Dr. Finch appointed Tanner to the Chaplainey of All Souls, in *January*, 1695, and in *March* following, Tanner brought out the first Edition of his valuable Book entitled "Notitia Monastica, or A short History of the Religious Houses in England and Wales, by Thomas Tanner B.A. 1695;" in small 8vo.: the Vice Chancellor's Imprimatur is dated 13 March $169\frac{4}{5}$. This work, even in its earliest, and in some particulars, incorrect edition shews, how well Tanner understood the subject he had taken in hand; and how truly he merited all the honor associated with his Name even up to the present day. The dedication is to Dr. Finch, and a Copy, handsomely prepared was presented to him. Forty years afterwards, Tanner, writing to Dr. Rawlinson says, "I am very glad my present Book to Dr. Finch, is fallen into your hands; there were but ten printed in that Royal paper; all which I gave away; but none of them bound as that was."

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*The Warden of All Souls Coll. Oxon, Dr. Leopold Finch, was brother of Frances, first Viscountess Weymouth. He was probably at this time on a visit to his sister. There is a portrait of him at Longleat. (J. E. J.)

The dedication thus expresses Tanner's gratitude to Dr. Finch. "I gratefully acknowledge your kindness to a person altogether unknown to you," (this may mean *personally* unknown, and is not inconsistent with Lord Abingdon's making suit for him,) "without which, he must have left this beloved place and his Studies; in which, because of his natural inclination to History and Antiquities, he has been thought, by the partial kindness of his friends, in some measure fit to serve his Country." When appointed to this Chaplaincy, Tanner would only have just entered his 23rd year; but in those days, an interpretation of the Canon law was received, and acted upon, which permitted a Man to take Deacon's orders, after he had *entered upon* his 23rd year, instead of being, as now required, full 23. On April 26, 1696, he proceeded to the degree of M.A. as of All Souls; and Nov. following, before he had completed a Year of Service as Chaplain, we find that he was elected *Fellow* of All Souls. No doubt his kindness of heart, his simplicity of manners, and literary attainments made him acceptable to the Society at large; and those among them who were able to appreciate his merits in the particular line of study he pursued, (especially the Warden, himself a great Archæologist) would at once consent, that the "*bene natus*" clause, in the Founder's Statute of Qualification, might fitly, in this case, be dispensed with. Yet, that "*bene natus*" is suggestive; and I cannot but think, with due regard had to Tanner's persevering research, that having access to Visitations, Records, and Local MSS., he would have made out his title to something of a Pedigree, had it been in his power to have done so, upon his election as Fellow of All Souls, where until very lately, so much importance was attached to such things. I have not yet discovered whether intimacy with Moore, Bishop of Norwich,[1] or marriage in prospect with Rose the Bishop's eldest daughter, (which took place 1701,) helped Tanner into the Chancellorship of Norwich, in 1700: but after marriage he vacated his Fellowship, left Oxford as a residence, and settled down close to his Mitred Father in Law. It seems that his merit had already been considered as giving him a claim to an office in the University; for

[1] For some notices of Moore, see Blomefield's Norfolk.

Pepys's Diary vol. 4. p. 301 has the following letter from Dr. Charlett to S. Pepys.

"University Coll. Oxon, Feb. 18, 1700—1.

"Hon. Sir,—I have been long in debt to you for a most obliging letter, which I now only acknowledge without pretending to payment, by the hands of my good friend, Mr. Tanner, who is now leaving us, being nominated by my Lord Bishop of Norwich, Chancellor of his Diocese. Before this Preferment was known he had the satisfaction to see the respects of the University by an offer made to him from the best and most considerable part of the University, of the office of Public Registrar, a place of great trust and credit, as Mr. Hudson has the custody of the Bodleian Library, upon the resignation of Dr. Hyde."

Mrs. Tanner died 15 March, 1706, leaving no living Issue; and was buried on the south side of the Bishop's Chapel[1] in Norwich Cathedral. The same year Tanner was made Rector of Thorpe, "by" or "next" Norwich; a living in private patronage; and therefore, in all probability, obtained for him by some exchange, through the Bishop's intervention. June 30, 1710, he proceeded to the Degrees of B.D. and D.D.; Sept. 1713, he was collated to the third Prebendal Stall in Ely Cathedral, which he held till 1723, resigning it upon being then made Canon of Christ Church. This appointment is thus noticed by Hearne in his Diary, II. 526. "Feb. 16 1723—4, Yesterday Dr. Thomas Tanner was installed Canon of Christ Church, in room of Dr. Egerton, Bishop of Hereford, who hath resigned." In 1721 the then Bishop of Norwich had conferred upon him the Archdeaconry of Norfolk; and in 1727 he was elected Prolocutor of the Lower House of Convocation; an office which he accepted with much reluctance, but it was forced upon him by the urgent entreaties of friends, well persuaded of his special qualifications. In January 173½, Archdeacon Tanner was consecrated Bishop of St. Asaph; being allowed to hold his Canonry at Christ Church, "*in commendam*."

The British Chronologist, under date Jan 25, 1732, tells us that on that Day, Dr. Tanner, Bishop of St. Asaph, and Dr. Claggett, Bishop of St. David's, were introduced into the House of Lords.

Bishop Tanner's father-in-law, Bishop Moore, was translated to Ely, July 31, 1707, and dying there 31 July, 1714, was buried

[1] See Blom. Norfolk, (iij. 591) where the Inscription is given. The Iron door at the entrance of this chapel was given by Dr. Tanner, whose arms are impaled upon it, first with *Moore*, and second with *Preston*. (Do. iii. 636.)

in the Cathedral, æt. 68. There is extant a letter from Tanner to his uncle, Mr. Thomas Moore, of Yarmouth, dated at "*Norwich* Aug. 7, 1714. Had returned from Ely, whither I went to pay my last respects and duty to the remains of my most kind friend, patron, and father, your dear brother who was buried in the Presbytery, not far from Bp. Patrick."

Some years before this, probably soon after the death of his first wife, Tanner married his second wife Frances, daughter of John Preston, Citizen of London, of a Norfolk Gentleman's family. In the Preston Pedigree, this match with Tanner is duly registered: and, as a friend in the College of Arms assures me, this is the only reference there found to Tanner or his connexions. This second wife died 11th June, 1718, aged 40 years; she left a son, the only surviving child, Thomas Tanner, who has sometimes been called (as in the *Archæologia*) the Editor of his father's works; thus confounding him with his uncle, John Tanner, Rector of Lowestoft. Thomas Tanner, the Bishop's son, married a daughter of Archbishop Potter; and became Rector of Monks Hadleigh; Prebendary of Canterbury; and Dean of Bocking. He was of Christ Church, M.A., June 14, 1740; and D.D., by Archbishop's Faculty. He died 1786, aged 68, and was buried at Hadleigh; leaving only daughters. This corrects Britton's account, of the Bishop's son being by his *first* wife. It is also an error to suppose that he had only two wives, for after his elevation to the bishopriek, he married a third wife, as thus announced in the *Gentleman's Magazine*: "May 1733, Dr. Tanner, Bishop of St. Asaph, married to Miss Scottowe, of Thorpe, by Norwich; with a Fortune of £15,000." This lady survived the Bishop, and married secondly, Robert Britiffe, Esq., Recorder of Norwich. Bishop Tanner seems to have closed his connexion with Norfolk, and to have taken up his abode in Oxford, upon being raised to the See of St. Asaph. His removal was attended by a misfortune to which reference is made in some of the notices of the Bishop's life, and is called by himself, his "shipwreck," thus reported in the *Gentleman's Magazine*, Jan. 1732:—"About the latter end of last month, the Books and MSS. of Dr. Tanner, Bp. of St. Asaph, being on their removal from Norwich, to Christ Church College, in

Oxford, fell into, and lay under water, 20 hours, and received great damage. Among them, (and this helps to explain the voluminous character of the MSS. bequeathed by Tanner to the Bodleian,) were near 300 Volumes of MSS.; purchased of Mr. Bateman, a bookseller, who bought them of Archbishop Sancroft's nephew. They were, in all, 7 Cart loads." Long before this, in 1693, Tanner, in one of his Letters, speaks of 100 sheets of MS. History of Wilts; also of the corrections and additions he had made for a new edition of the "Notitia," which he adds, will swell it to a folio of 200 pages.

No doubt his personal collections were very extensive. A catalogue of them will soon be published, and by examining it, we can easily discover what additions to Wiltshire Topography may be obtained from Tanner papers deposited in the Bodleian. Perhaps our expectations, in this respect, may be disappointed. We know that Tanner supplied the Additions to Wilts, in Gibson's edition of Camden's Britannia, 1695; and we may, I think, conclude, that those Additions contained all that he himself thought worth publishing. Tradition says, that during the Bishop's brief episcopate, he visited, more than once or twice, the place of his birth; "in coach with purple lined, and mitres on the sides," and that upon these occasions, he was the Guest of the Barnes family; [in 1716, William Barnes had married Sarah Tanner, the Bishop's sister;] and at one of these visits we may suppose, the Tablet was erected, in Market Lavington Church, to the memory of his parents. There is however on it no record of the fact, that very soon after the death of Sarah Willoughby, his father the Vicar of Market Lavington had married at Cheverell Magna, Sep. 2nd, 1716, Margaret Gardham, by licence. The marriage is recorded both in the Great Cheverell and in the Market Lavington Registers. The Tablet erected by the Bishop is of wood; the ground gold; the letters black; surrounded by a carved border of foliage in full bloom; fruit, ripe; cherubs, full orbed; the whole, in appearance, falling perhaps far short of what one might expect as a testimony of a dignitary's filial affection.

The Epitaph is as follows:—

"Under the Pew below, lie interred the Bodies of the Rev. Thomas Tanner, Clerk, 46 years the diligent, pious, resident minister of this Parish; who died

Dec^r. 18, A.D. 1718, aged 78 years; and of that excellent woman, Mrs. Sarah Tanner, his wife, daughter of Joseph Willoughby, of this Town, Gent; who died June 16, A.D. 1711, aged 63 years. To the memory of these his honored Parents, their eldest son, Thomas, Bishop of St. Asaph, P.P."

This Tablet was first placed on the extreme N.E. wall of the Nave; but as Church Restoration has transferred it to the North Aisle, the first portion of the Epitaph no longer describes with accuracy the resting-place of the old Vicar's remains.

The Bishop held his dignified position for only four years. I have not been able to learn any particulars of the disease of which he died at Christ Church, Oxford, 14th Dec., 1735; aged 62:[1] He was buried in the nave of the Cathedral, near the pulpit; and a monument placed against one of the south pillars, sets forth in a Latin Inscription, his preferments: his diligence in exploring and explaining the Antiquities of his Country; his integrity; rare piety; and bountifully diffused charity to the needy. He left a legacy of £100 to the widows and orphans of poor clergymen; and another bequest to his native parish, of which the inhabitants still reap the advantage.

The Charity Commissioners appointed in pursuance of an Act passed in the 5th and 6th of Wm. IV, make the following Report of Bishop Tanner's Charity at East or Market Lavington:—

Thomas Tanner, D.D., late Bishop of St. Asaph, by his will bearing date 22nd November. 1733, and proved in the Prerogative Court of Canterbury, 7th February, 1735, bequeathed to the Rev. Mr. John Sainwell and five others, all of Market Lavington in the county of Wilts, his native place, and to the Vicar or his resident Curate there for the time being, the sum of £200 with interest, and upon trust, that they, the survivors or survivor of them, should therewith purchase some rent charge or some estate in land, the rents of which should be applied yearly and every year in the manner and form following: first, to the Vicar or his Curate, for a sermon to be preached in the afternoon of the Feast day of the Conversion of St. Paul, in the parish church of Lavington, aforesaid, on repentance, faith, obedience, good works, humility, meekness, sobriety, contempt of the world, resignation to Providence, God's mercy to mankind, men's duty in showing mercy to others, or some other practical subject, 13*s.* 4*d.*; to the clerk and sexton between them for attending and ringing the bell, 3*s.*; to

[1] Hearne, in his Diary 1733—4, Jan. 17, records thus: "Bishop Tanner pretty well recovered of his late illness. Having so gross a body, Mr. Baker doubts (and so do I,) that the rest of his life will be uncomfortable." Diary II, p. 794.

the ringers for two short peals upon the six bells, one at break of day, and the other after sermon in the afternoon, 6*s.*; 20*s.* to be spent at a friendly meeting of his Trustees therein named, and such of the better sort of the parishioners as they should think fit to invite in the evening of St. Paul's day, to promote peace and good neighbourhood, and preserve some little regard to the memory of his honoured parents:* 20*s.* to be yearly disposed of towards the teaching of some poor children to write and read, whose friends were not able to pay for their schooling; 20*s.* to buy four bibles with common prayer, to be given also yearly on St. Paul's day to such four poor persons in the said parish as in the opinion of the Vicar or his Curate were most likely to make the best use of the same, and were least able to buy such; and the remainder of the clear produce of the said legacy, to be given away yearly and every year, after prayers and sermon on the said St. Paul's day in the said Church. among so many poor people of the said parish, to be nominated by the Vicar, or in his absence the Curate, as it would reach to, at twelve pence each.

In the year 1742 the survivors of the trustees named in Bishop Tanner's will, invested the legacy of £200 in the purchase of land in Patney in the county of Wilts.

At the foot of the Bishop's Monument in Christ Church Cathedral, are the arms of the See; impaling, Tanner of Cornwall; Argent, 3 Blackamores' heads couped; banded gules. The same arms are in the Quadrangle at All Souls, with those of other Bishops of that College, painted on the plane of the sun-dial. Tanner, we know, used them on his official Seal, upon being made Chancellor of Norwich; they are also in cast-iron on the entrance gates to the Bishop's Chapel, Norwich Cathedral: impaled with those of his first and second wives; again, under the portrait prefixed to the second edition of the Notitia, published after the Bishop's death. I mention this, to correct a mistake in Dr. Bliss's new edition of Wood's Athenæ, Oxon: vol. ii. where Fasti begin, column 1. Against an Initial T., rests a coat of arms, which in the Table of References to woodcuts in vol. iv., is described as Bishop Tanner's. It is not his, but as it embodies the coats of two distinct families of

* It is to be hoped that this annual festive "Obit" in memory of a learned Divine has always been conducted with becoming decorum. But from a brief and somewhat peremptory letter which I have found among Mr. Wilton's MSS. I am inclined to think that now and then there may have arisen a "rixa super mero." The writer, a high parish official, sends thus to the Landlord of the Green Dragon, Lavington, where the entertainment was to take place: "As a list of the guests invited to commemorate the memory of Bp. Tanner has not, for some years, been even presented for Mr. ——'s inspection, or approbation—he now particularly wishes, as a Trustee of the Legacy, to know *who the Guests are and what there is for Supper?* together with an *Inspection* of the Book of Proceedings, or Report, *ever* produced on this night. Evening of Jan. 25th, 1817." I am afraid, that upon that "Evening," there was a storm at the Green Dragon! [J. E. J.]

Wray, it may have been the seal of Tanner's friend, Ray, the naturalist, which having been perhaps used by Tanner in some emergency for fastening a letter, has led to the mistake.

There is a whole length portrait of the Bishop in All Souls Hall: and an engraving from it forms the frontispiece to the "Notitia Monastica." There is a smaller one by Reading, in the corner of which is represented an ancient lamp given by the Bishop to the Royal Society of Antiquaries, and now in their museum. The Bishop's countenance confirms to my own mind, the opinion which I confess myself to have formed of his character, as good, kind, peaceable and studious. His handwriting was small and delicate.

His intercourse with the literary men, and especially with most of the Antiquaries of his day, is a sufficient indication of his tastes from his youth up; for in letters to and from his father, we see how curious he was about names of places, sources of streams, matters of natural history, and parochial research. And the testimonies borne to his literary attachments and services, have been full, decided, undisputed, up to the present time. Aubrey's opinion of him has been already quoted; Ray availed himself of Tanner's information; Gibson, afterwards Bishop of London, Rawlinson, Lloyd, all seem to have looked up to him as their best authority; Hearne's MS. treasures passed to the Bodleian, through Tanner's hands; Wood (though with all the reluctance of a man resisting separation from his worldly delights, even when death-smitten, and with a degree of suspicion whether Tanner would revise with kind feeling, much that he had written in bitterness and prejudice,) yet could find no one more fit to be entrusted with his Papers: and in our days, the Modern Historian of South Wilts, speaking of helps to Topographical Investigations mentions "the Notitia," and says of it, "That is an host." The second edition of that work was brought out by the Bishop's brother, John Tanner, a person, in every thing connected with archæology,not inferior to him.[1]

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[1] The following account of John Tanner is from Nichols's Literary Anecdotes, vol. VIII 402.

"John Tanner 3rd Son of Thos. Tanner of M. Lavington Wilts, born 1684, educated at Queen's, Oxon. M.A. 1707. Through his Brother's Interest (then

He tells us that this edition contained the additions collected by the Bishop during 40 years, as well as his own; and he seems to have been like the Bishop, diligent, and painstaking. His own share of labor must have been considerable. "In several counties, one place or other was omitted; till he (the Bishop) could see some book; these therefore, viz:—Peterborough, and seven other places in Northamptonshire; the latter part of Yorkshire; and all Wales, are of my doing. After being made canon of Christ Church, he had the use of many things there, which he could not have elsewhere. I made all those alterations, and was for the most part obliged to draw up the accounts of such Houses anew. I would have done more, if I had had or could have borrowed books for it. The author's close writing, and frequent interlineations, obliged me to transcribe a great part of the work." There was a third edition of the Notitia, edited by Mr. Nasmyth, published 1787; this is very

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Chancellor of Norwich) he obtained 1708 the Rectory of Kessingland and Vicarage of Lowestoft annexed In 1725 was appointed Commissary Official of the Archdnry of Suffolk, and afterwards Precentor of St. Asaph. About 1719 by his exertions a subscription was raised, by which by the aid of £200 from Queen Anne's Bounty the Impropriation of Lowestoft was purchased for £1050 for the endowment of the Vicarage. He published Notitia Monastica. He expended £300 in repairing Lowestoft Church. Six of the seats have this Inscription 'In memory of Mary, Wife of John Tanner, and daughter to Rose and Mary Knight, 1746. Not unto us, &c.;' and on eight other seats the following: 'John Tanner, Vicar, who desires this to be considered as a monument, and pledge of love.' In 1750 he gave to the Church of Kessingland a set of Sacramental Plate: a person of eminent piety, diligent, under the pains and infirmities of old age, sometimes so exhausted during the performance of the usual service of the Church, as to be under the necessity of taking some refreshment whilst reading of prayers. He resigned the offices of Commissary and Official when incapable. After working 50 years he was removed hence. He had also taken an active part in rebuilding Kirkley Church. On a white Marble in the Chancel of Lowestoft Church, 'Mary, Wife of John Tanner who died Nov. 28, 1744. Aged 60 Years. The Body of John Tanner 51 years Vicar of this Church was interred Dec. 26, 1759.'"

It is to this John Tanner that Hearne probably refers in his diary under the date of Dec. 5, 1705. Speaking of an election to seven Fellowships at Merton College, he writes, "One of the Candidates was Mr. Tanner, a Bachelor of Arts of Queen's, Brother to Mr. Tho. Tanner, Chancellor of Norwich. I am told he appeared very well as to Scholarship, and yet he took his being put by, very cheerfully, and paid his respects after to the Fellows, whereas the rest who missed coming in, sneaked away and seemed to resent it."

scarce: a large number of the copies having been destroyed by a fire at Messrs. Nichols's printing office. Another (now scarce) work of Bishop Tanner's, based on a MS. of Leland's "De Scriptoribus Britannicis," occupied the Bishop for full 40 years, and was published 1748, under the title "Bibliotheca Britannico Hibernica." It has been made much use of, by various compilers of Biographical Dictionaries. One little scheme of the Bishop, when Chancellor of Norwich, to entice the Clergy into parochial investigations is worthy of mention, and conveys a hint which our Bishops would do well to act upon.[1] To urge the clergy to write Parochial History, without opening to them gratuitously, the Registry of the Diocese, where only they can find Glebe Terriers and Endowments, Faculties, Transcripts of Registers, (even when the originals are lost,) and those valuable sources of local information, Wills of old parishioners, is, in effect, to bid them make brick, without the needful allowance of straw. Besides John, the Bishop had another clerical brother, William; well beneficed like his brethren by the Bishop of Norwich.[2] One feels anxious to know whether this William was the Rev. William Tanner, a non-Juror, who died at Norwich, 1733. Sarah, the Bishop's sister, married (as before stated) Mr. Barnes; his sister Grace, as appears by Blomefield's Pedigree of the Bishop, married Mr. Symonds. She died at Lowestoft, in 1759, and was buried in the North Aisle of the Church. John and William died without issue. The Bishop had two other brothers; Joseph, born, 1676; and Benjamin, born, 1686: of these, unless I could examine the Wills office, I can obtain no information.[3] It is just possible,

[1]Writing to Dr. Rawlinson, Oct. 2, 1735, about Blomefield's forthcoming History of Norfolk, he says "I will give him a Plate, and assist him what I can, out of my own collections which were chiefly as to the ecclesiastical state; for having a little fee out of every Institution when I was Chancellor there, I thought to earn it by going thro' the Registers, and making a Series of the Incumbents and Patrons, in the manner of Mr. Newcourt's "Repertorium."

[2]His preferments had been, successively Vicar of Girston 1713, Stanford 1718. In 1723 he was appointed to Topcroft, which in 1724 he held together with Redenhall and Harleston, Co. Norfolk

[3]It appears from the Catalogue of Tanner MSS. in the Bodleian that the Bishop's Brother Joseph Tanner was a Surgeon. There is amongst the MSS. a letter to the Bishop giving an account of his Journey in France and Germany,

that one or both of them, may be ancestors of some of the wealthy and respectable families bearing the name of Tanner, at this date, in our county. The late Mr. Joseph Tanner of Erchfont certainly understood that there was some connection between his ancestors and Bishop Tanner; it was a family tradition, but he could give me no particulars.

In conclusion: If any one should object that investigations like this are incompatible with clerical occupation of time, I can only produce the apology, quaintly but pertinently supplied by Bishop Tanner himself. After mentioning that he had just completed a List of Christ Church Students, up to Oct, 1735, little more than a month before his death, he adds: "These are amusements, in which I hope innocently, if not usefully, I have employed, and do employ the time and health God is so good as to allow me; with as much satisfaction to myself as others do, in play, hunting, and other diversions. Whatever be the event of one's pains this way, herein I imagine I do in some measure discharge a duty one owes to the noble foundation of which he is a member; and to the worthy men that have gone before us: to save them from the curse of the Psalmist, and that 'in the next generation their names may not be clean put out.'"

EDWARD WILTON.

Nov. 17, 1716.—Also his Testimonial signed by several eminent Physicians and Surgeons. Other Notices of him in the references to Tanner's Correspondence. At the back of a letter ["Tan. cxiv. 35"] is the following: "To be left at Mr. Tanner's, *Surg.* in Fenchurch Street, London."

ON THE

Stone Avenues of Carnac,

AND OTHER

Pre-Historic Monuments of Britanny.

By the Rev. W. C. Lukis, M.A., F.S.A.,

(Hon. Member of the Société Polymathique du Morbihan, and of the Société Archéologique de Nantes, Loire Inferièure.)

Read before the Society at Salisbury, September, 1870.

THE monuments described in this article belong to that section of the pre-historic age which has been designated the period of polished stone implements. Formerly they were supposed to be among the most ancient structures that told of the earliest inhabitance of this globe. But archæological researches have now shown that there was a more remote period of human history, in which man did not erect such buildings, but took refuge in dens and caves of the earth, making them his abodes in life and his last resting-places in death. The cave-men, however, would seem to have been more advanced in the arts than those who planned and executed the grand avenues and other megalithic monuments of Britanny. The caves which they occupied have produced engravings and sculptures on stones, ivory, and reindeer bones, that are marvellous for accuracy of delineation and truthfulness of form, compared with which the carved stones of Britanny are rude and unmeaning. Some of these sculptures and engravings, such as those to be seen in the Museum in which we are now assembled, are full of artistic life and vigour. Now it is said that there was a remoter period still of human existence, in which man simply chipped flints into rude implements and knew not how to polish them, nor did he know how to manufacture clay vessels and procure fire. The antiquity of this people is supposed to be lost in the impenetrable mists of the post-glacial period.

Not for the archæologist alone, but for every sensible and intelligent person, these questions have a bright, an interesting, and an instructive aspect. For although the ravages of time have greatly marred these venerable relics of antiquity, still we are able to recognize in them the arts of primitive peoples, and to call up before the mind's eye the very peoples themselves; to study their mental development, and to define the uses many of their works were destined to serve. We are able in this manner to catch a glimpse of the private life, and even the religious ideas, of peoples of whose great antiquity we know absolutely nothing at present, because written history and tradition have not reached it.

There are few countries so rich in stone monuments of pre-historic times as that portion of Western France which was formerly known by the ancient name of Armorica, and now bears the name of Britanny. These monuments are found in every part of it, but are more numerous on the lands bordering on the sea, where the exposed shores, poor soils, and dreary heaths, have not invited agricultural operations. In certain districts they are very remarkable, and in none more so than in the Department of the Morbihan, which is situated in the south of the Province, between the Departments of Finistere and Ille et Vilaine. Here we find communes in which they exist at short intervals, in every variety of form, and of all dimensions, from the rude unhewn menhir or granite pillar, standing singly, to the wonderful groups of menhirs, arranged in lines or in circles; and from the simple rectangular cist of moderate proportions, to the hugh and complicated sepulchre with its side chambers and ponderous capstones.

The menhirs, or pillars, are mysterious monuments, whose destination still remains, more or less, a problem. Some are supposed to have been erected as memorials of departed heroes; others as symbols of divinities; while others have been, perhaps, mere boundary stones; but no one has yet been able to suggest a reasonable and satisfactory theory for the vast avenues or lines of menhirs, which are more numerous, more remarkable, and more visited, in the Morbihan, than in other Departments of the Province.

Most persons have heard and read of the celebrated Lines of

Carnac, but few, even of those who have visited them, have a clear notion of their plan. The prevailing idea is, that all these lines of granite pillars constitute one monument; whereas they form several groups of lines or avenues, separated and wholly distinct from one another. The number of lines in the several groups varies, and each group is separated by a void space of ground. Each group, therefore, constitutes a distinct monument.

I will now describe them, and then say what opinions have been put forth as to their destination.

Near the small town of Carnac, there is an eminence, partly natural, and partly artificial, which forms a huge long barrow. On the platform of its truncated summit stands a Chapel, dedicated to St. Michael, and from this elevation an extensive view is obtained. Looking northwards you see vast heaths covering a slightly undulating country, fir plantations, and, here and there, small villages nestling among elm-trees. Turning to the west you catch a glimpse of the peninsula of Quiberon, celebrated for the ill-fated expedition of the emigrant royalists in 1795, which terminated in the atrocious murder of the prisoners. To the south are the blue waves of the Atlantic, with the islands of Belle-Ile, Houat, and Haedic resting on the horizon; and eastwards the eye travels across the peninsula of Locmariaker, rich in stone monuments of gigantic size, and perceives the great tumuli of Mané-er-H'roek, the Tumiac, and of the island of Gavr' Inis in the enclosed little sea or Morbihan.

Not far from the base of the north slope of the tumulus which now bears the name of Mount St. Michael, stand two of the three groups of lines which I propose to describe, stretching from left to right across the landscape,—the great army of stones, "silent witnesses of thousands of extinct generations," regarding which neither tradition nor history has preserved the slightest record. Although composed of hard granite, many of these stones have been gnawed by time, and too successfully assailed by the strong and destructive hand of man.

If you descend into the plain, and bend your steps to the village of Menec, which lies on the left hand, you find that several of the farm-houses and cottages, with their thrashing yards and gardens,

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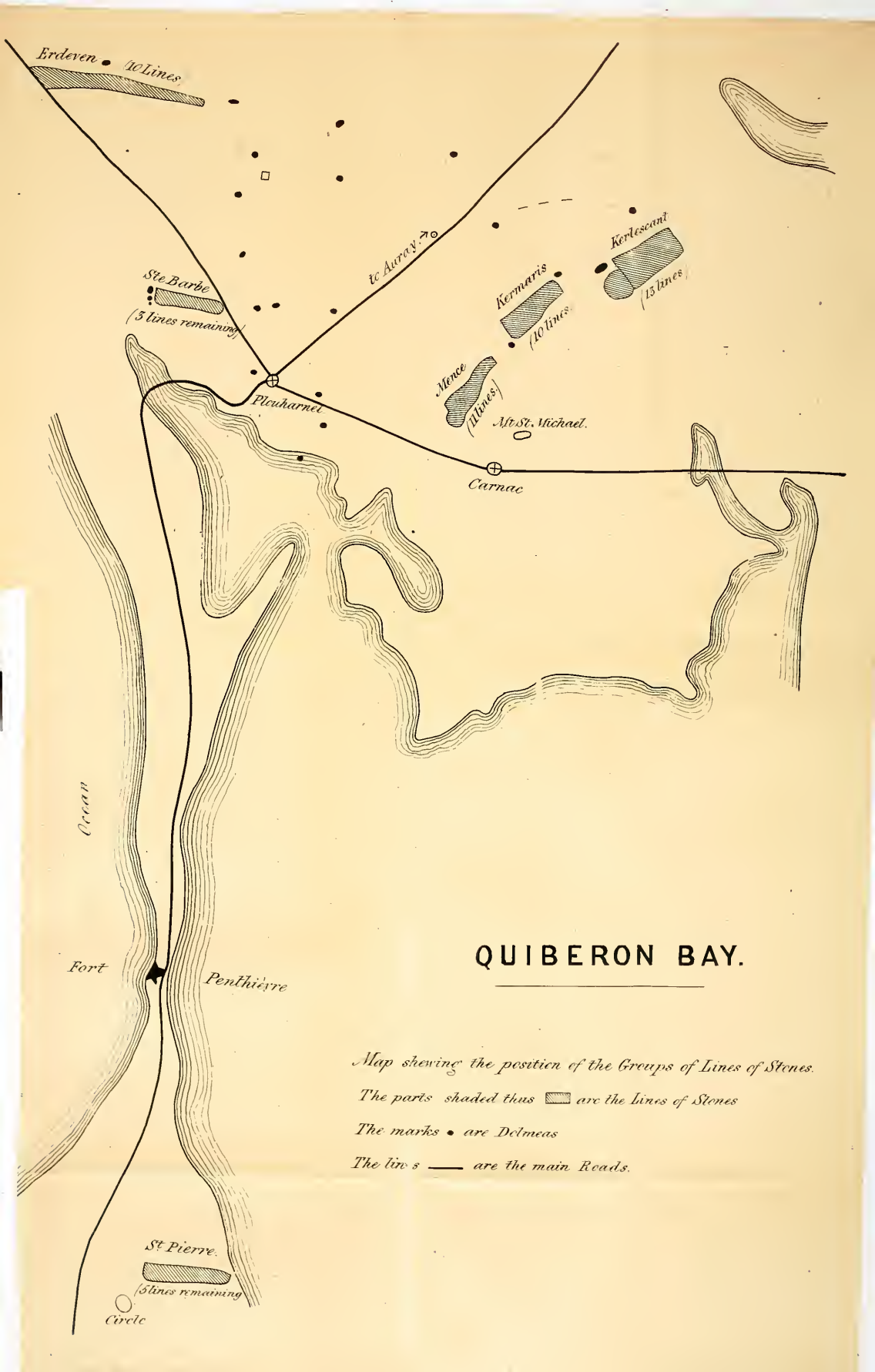


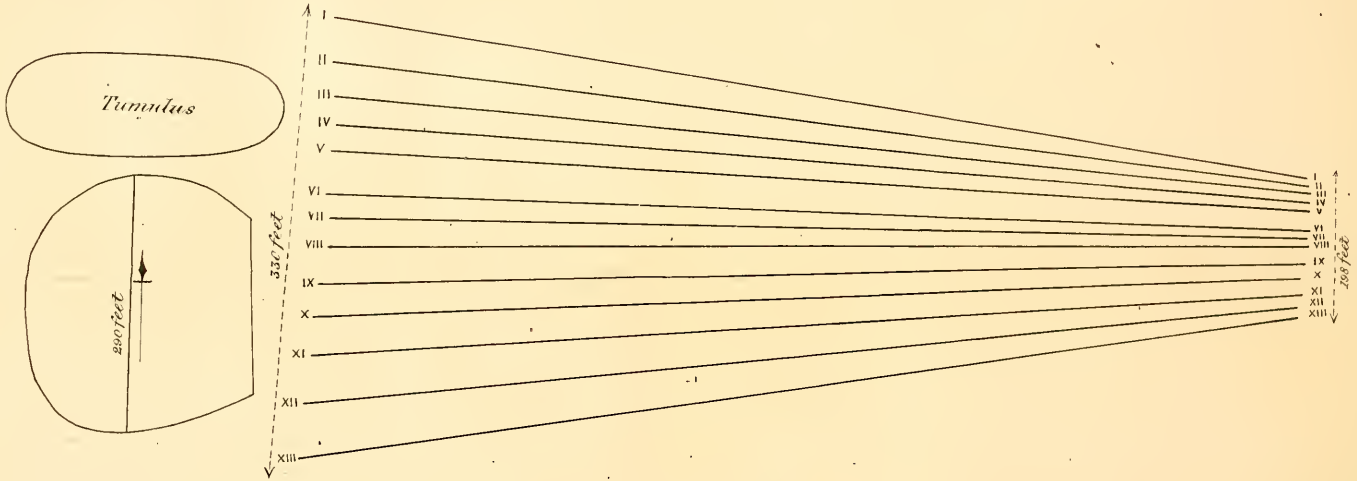
QUIBERON BAY.

Map shewing the position of the Groups of Lines of Stones.

The parts shaded thus ▨ *are the Lines of Stones*

The marks • *are Dolmens*

The lines —— *are the main Roads.*



Plan of

KERLESCANT LINES.

are enclosed in a circle of upright stones, which is 277 feet in its largest diameter. The circle forms the western termination of a group of eleven lines of menhirs or pillars; and if you walk eastwards you at length arrive at the other end of the group, at a distance of 3,076 feet from the village of Menec. In the course of your march two or three facts present themselves to your notice. You perceive that the bulk and height of the menhirs diminish gradually (*i.e.*, from about nine feet down to three feet), and that the widths of the avenues also diminish; and that as you gain the further extremity of the lines the stones increase somewhat in dimensions, not however rivalling in grandeur those near the circle which you have left behind you. You notice another fact, that the eastern extremity, which may be said to be the commencement of the avenues, is on a comparatively low level, that the ground gradually rises westwards over an undulating country, and that the heads of the lines and the circle are on a more elevated plateau. These are features generally noticeable in the other groups of avenues.

Continuing your course eastwards, you traverse a space of 1,669 feet, and ascend to a plateau, on which you find the western extremity of another group of avenues, consisting of ten lines, commonly known as the menhirs of Kermario, taking their name from a farmhouse close by. These stones form the termination of a grand series of greater length than the one you have just quitted. The blocks of granite are of colossal proportions (about 12 feet in height), but there is no terminating circle now existing. If you follow these lines, you cross a hill by a windmill, descend into a small dell, through which a slender rill trickles, and then ascend another hill, on the slope of which the avenues lose themselves at a distance of about 4,000 feet from the other extremity. Here the stones are generally of small dimensions, few exceeding three feet in height. As you emerge from a fir plantation, which clothes the eastern slope of this hill, you perceive, on the other side of a small valley and crowning the summit of the opposite hill, the standing stones of a third group of avenues, bearing the name of Kerlescant. A portion of the terminating circle (about 300 feet in diameter) exists here, as at Menec, and the lines are thirteen in number, and

extend for 925 feet; a very short distance as compared with the other two groups, but they are supposed to have extended to a greater distance in ancient times. In tracing these three groups, you have walked about two miles and a quarter.

There are other groups of menhirs, forming lines and avenues, in the parish of Carnac, as well as in some of the adjoining parishes, as, *e.g.*, at Crucuny, Plouharnel, Erdeven, Plouhinec, and Quiberon, all of which differ in the number of their lines, and in other particulars; and of these by far the most extensive may be seen at Erdeven, where the lines, ten in number, extend (not now continuously) for about 7,000 feet. They are generally less known and frequented than those I have described.

From the description given above, the following may be taken as the general features of these great monuments :—

The lines do not lie strictly east and west, but vary a little to the north and south of these points.

The narrow end is invariably eastward; and the head, or wide part, is towards the west and on elevated ground.

The stones are always largest at the western termination, and of small size in the other direction. In the Menec and Erdeven groups, however, the stones slightly increase in size towards the commencement.

Where there are circles connected with the lines, they are always at the large end.

The circles are composed of stones differing in form from those of the lines. They are thin and wide, and not so tall as the tallest of the lines, averaging about five feet above ground.

The stones of the circles nearly touch each other, whereas those of the lines have spaces of from seven to twenty feet between them.

The average distance between the lines at the west end is thirty feet; at the east end, eighteen feet.

It appears probable that the number of the lines in each series was determined at first and the whole number begun at once. The size of the stones indicates this.

We may presume that they were begun at the west end, and probably in all cases the circles were added last, at least after the wider or west portion of the series had been erected, because at St

Pierre, Quiberon, the circle is seventy seven yards on the south side of the lines; at Menec the centre of the circle is south of the direction of the central avenue; at Kerlescant it is a large segment, and not a complete circle. In no case is there, strictly speaking, an attachment of the circle to the lines.

Now just as the same facts often produce opposite impressions on different minds, so it is with regard to these monuments. Archæologists and travellers appear to have viewed them through different coloured glasses, and have drawn strange and opposite conclusions from what they have seen. It is very difficult to banish from the mind pre-conceived and favourite ideas, and the glasses they have used have thrown such an agreeable colouring around the objects, that the opinions are adhered to in spite of their fancifulness and palpable falseness.

The peasant population, for many generations, have been looking at these lines through a highly-coloured-glass, and if you ask them how these stones came to be thus arranged, they will tell you without hesitation, and expect you to believe, that these ponderous masses are the Pope's soldiers. They say that St. Cornely, Pope, and now patron saint of the parish church of Carnac, chased by an army of Pagans, fled pursued to the sea shore. Finding no boat or means of escape, and on the point of being captured, he exercised his saintly power, and converted into granite pillars the soldiers who thought to seize him.

However absurd this idea may seem to us, it is quite equalled by that of a French engineer officer (Mons. de la Sauvagere) of the last century, who imagined that the Romans erected these lines for the purpose of protecting their tents from the fury of the tempest.

The hypothesis of our countryman who saw here a temple in the form of an enormous serpent, is not more satisfactory. Nor are other opinions admissible which would make these stones memorials of the defeat of the Veneti by Cæsar; or a cemetery of the same people after a battle; or an enormous astronomical calendar; or a military trophy in honour of Hercules; or a grove of sacred oaks, and these great stones placed in lines like rows of trees.

My friend Canon Jackson suggests that a key, that may fit this

"very rusty old lock," which so many have vainly essayed to open, may possibly be found in the account of the ancient chronicler, Geoffrey of Monmouth. According to Geoffrey, in the year of our Lord 381 a large body of British soldiers passed over to Armorica under the command of Clemens Maximus for the purpose of attacking and dethroning the Emperor Gratian. On the defeat of the emperor, Maximus resolved to establish his army as a colony in Britanny, instead of sending them back to England. Wishing to avoid all mixture with the Gauls, he sent over to England for wives for his soldiers and emigrants. Ursula, daughter of the prince of Cornwall, and eleven thousand ladies of the higher class, to say nothing of a much larger number of others of a lower class, embarked for Britanny. Contrary and stormy winds dispersed the fleet, most of the ships foundered, and nearly all the ladies perished.[1]

This story, whether true or not, is presented to archæologists, that they may manufacture it, (if they can,) into a key to Carnac. "Upon reading this event in the old British history," writes my learned friend, "and happening to recollect, first, the situation of Carnac, upon the very sea coast of Armorica, and, next, the peculiar number of *eleven* rows of monumental stones, it struck me that the whole number of stones having been estimated by unprejudiced travellers to have been probably ten or twelve thousand, the original arrangement may have been designed to be a thousand in each row, making in all eleven thousand. The whole might thus be intended to be a great national memorial of the tragic end of the eleven thousand British ladies."

Unhappily for this ingenious theory, this key does not fit the rusty old lock at all. It is presumed that the Carnac lines are composed of eleven rows, but as I have shown that they are in reality *three* distinct monuments, one having eleven, another ten, and the third thirteen rows of stones, and that, besides these, there are five or six other monuments of a like nature, not one of which has eleven rows, I do not think the foundation a very good one whereon to erect such a theory.

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[1] See *Notes and Queries* for July, 1869.

There is no doubt that the number eleven has been assigned to these lines by careless observation, and once stated has been accepted unchallenged by succeeding writers. In the same way the three groups have been blended into *one* monument; for as it is usual for travellers to pass the short hour of their visit in examining the avenues of Menec only, they are not aware that a gap intervenes between each of the groups, and they take it for granted that the eleven lines of Menec are continued through the other groups as far as Kerlescant.

It is strange that the local archæologists have just as imperfect an acquaintance with these monuments as we have in England, and not one, so far as I know, has made a serious study of them. The archæological society of the Department appear to have devoted their attention to the sepulchral chambers, and to have overlooked these wonderful structures. Had they taken them into serious consideration, and, as in duty bound, and in the interests of science, under their protection, they could hardly have failed to raise a loud and indignant protest against the work of destruction that is going on every year, thereby rendering the problem of their construction more and more difficult of solution. I have passed four successive summers in examining and planning them, and it has deeply pained me to mark in each year the vacant spaces which familiar friends used to occupy. I have called the attention of that society to the fact, and have likewise brought the matter to the notice of archæologists at the International Congress of Pre-historic Archæology, held at Norwich, 1868. The Morbihan Society has slumbered over my complaint; but I am happy to say that at Norwich a committee composed of English and French members was at once nominated, to communicate with the Imperial Government, with a view to arrest the mischief if possible.[1] I mention this here, as I do on all occasions, because I wish it to be widely known that structures which take the highest rank among the most curious and colossal monuments of the world are, even in these days when their study has become an

[1] A memorial signed by Sir John Lubbock, on behalf of the Committee, was forwarded last Spring to the Préfet of the Morbihan, and it is hoped that steps have been taken to prevent further mischief.

European scientific movement, being demolished by man's hand and made more ruinous than the furious blasts of the mighty Atlantic and tens of centuries of winters rains had left them.

It may now be said to me, "You have told us what you suppose were *not* the uses of these remarkable monuments, surely after so long an examination and study of them as you have made, you are prepared to tell us what you think these uses were." To you I must give the same reply as I have given to others. I am just beginning to learn the alphabet, therefore you cannot expect me to read the language before I have mastered the letters. It is a step in the right direction to have convinced myself that what has been supposed to be one monument, is in fact a number of separate and distinct monuments, each having its own features and peculiarities. There are more monuments of a like nature, with individual peculiarities, in Britanny which are scarcely known. There are systems of avenues associated with circles in other countries, in Great Britain, in Lombardy, in Africa, as well as in India. Careful and accurate plans of all these should be made, and comparisons instituted between them, and researches prosecuted among them, and possibly their difficult language may in course of time be correctly interpreted. It seems to me that archæologists have all been too prone to dogmatise upon these monuments with an insufficient knowledge of their construction. You may yourselves read in publications of leading antiquarian societies in this country and in France, statements and opinions relative to Britanny monuments which are based upon false premises. Now in endeavouring to interpret the meaning of these celebrated Carnac lines regard must be had and attention given to two points, viz.: to groups of rows of pillars, and pillars arranged in circles, and to these two distinct features here brought into relationship with each other. Mr. Stuart, of Edinburgh, has expressed his opinion that circles of stones are not temples, but sepulchral enclosures. Up to this time, there is no evidence to show that the terminating circles of Menec, and Kerlescant were used as burial places. It is true that in the summer of 1869 I found fragments of coarse clay vessels and flint scrapers and chippings within the area of the latter circle, which had just been broken up for planting, but they were too few to afford

ground for adopting his view. I have likewise found fragments of similar vessels and flint implements in the disturbed earth of the avenues; but there is no proof of careful interments, such as we observe in the Dolmens or sepulchral stone chambers. The soil in most parts is not more than six inches thick, and rests upon a bed of granite.

With regard to isolated menhirs, there may be less difficulty in arriving at a safe conclusion. They are very frequently found associated with structures whose destination was strictly sepulchral. They may have been raised, therefore, to commemorate the death of those whose bodies rest in the tombs at their feet; or they may be symbols of presiding divinities watching over and sanctifying spots which the spirits of the dead may be supposed to haunt. At Locmariaker, the tombs are of such colossal proportions as to induce the belief that heroes of no common order died and were interred there. Accordingly we find menhirs of much larger dimensions than at Carnac, close to the sepulchres, and one menhir, in particular, of astonishing size, measuring 67 feet 6 inches in length. Circles also sometimes form part of sepulchral monuments. It is possible, therefore, that *groups of pillars arranged in lines and in circles and associated together, may have served a purpose in some way connected with the funeral rites or solemnities that preceded interment.*

There is a feature which is common both to groups of rows of stones and to the sepulchres, which may help to throw some light on the subject, viz., their orientation. By far the larger number of the sepulchral monuments—those, I mean which are usually termed Dolmens—have their opening or entrances between the east and south points of the compass, *i.e.* nearly ninety per cent. are so turned, which it must be admitted cannot be an accidental circumstance. So, too, the avenues are similarly orientated. If, therefore, the builders of the tombs had a religious reason for this arrangement, the same motive must have been dominant in the minds of the constructors of the avenues; and the inference is not without force that the same people erected both. This arrangement may be a token of their religious reverence for the deified orbs of heaven, the sun and the moon.

It would not be right on such an occasion as the present, and in a paper treating exclusively of lines of stones and circles to omit all

allusion to monuments which are so well known as those of Avebury and Stonehenge. And yet I feel almost disposed to do so,—because with regard to the latter there is nothing in Britanny with which to compare it; and with regard to the former the points of resemblance are so few and faint, and the points of dissimilarity so numerous and strong, that I do not find, in what I have seen on the continent, anything that will throw a clear light upon its true plan and destination.

As regards Stonehenge I think sufficient of it remains for the ground plan to be determined with tolerable certainty,—but as regards Avebury there is now very little clue to its plan, and we are compelled to accept the imperfect and inaccurate drawings of antiquaries of the seventeenth and early part of the eighteenth centuries, that is to say, of men whose skill in drawing was of a very humble character, and whose knowledge of surveying was of a still lower standard. Besides this, the intelligent and observant men of those days had received no archæological education; and if, even in the present day with our opportunities of travel, and our abundant sources of information, many intelligent persons are found to entertain and put forth the strangest ideas, and to give the most inaccurate descriptions of monuments they have beheld for the first time, is it not probable that our Aubreys and Stukeleys may have done the same? No doubt they all "aimed at accuracy and truthfulness," but in treating of monuments of great dimensions and of unusual and unknown forms how easy to be misled and mistaken! I confess that for some years I have been seeptical with regard to the ground-plan of Avebury, as given by Stukeley, and yet it is perhaps the only ancient plan that has been considered of any value; and my doubt has been strengthened by my intimate acquaintance with the Carnac and other groups of Stone Lines. I have shown you that these monuments are distinct and separate works, although they have been erroneously described by antiquaries as constituting one great monument. The error has arisen from inaccurate plans and descriptions in the first instance, succeeded by imperfect observation on the spot. Just so I am led to conclude that the concentric circles, and short avenue connected therewith, on Overton Hill constituted a monument wholly distinct from the greater circles and avenue of Avebury.

There is not much to choose between the drawings, such as they are, of Aubrey and Stukeley, but there is so much fancifulness in the restored plan of the latter that doubt is thrown upon the accuracy of his description; whereas there is in my opinion more careful and truthful drawing in the plans of Aubrey, and from these plans and a comparison with the Britanny monuments I have been led to the above conclusion.

This then is one of the points of faint resemblance that I notice, between Avebury and Carnac. Holding this opinion of separate monuments I am almost inclined to think that a third monument of like character *i.e.* composed of rows of stones associated with a circle, lay on the Beckhampton side. I feel, however, that I have very little evidence to produce in support of this view, but there is scarcely better evidence in proof of the Overton Hill circles having been united with those of Avebury by an unbroken avenue of stones, and of another avenue directed towards Beckhampton "forming the tail of the sacred serpent," according to Stukeley.

One other point of resemblance may be stated. In Britanny the circular enclosure is invariably situated on an elevation, or on the summit of gently rising ground. Here in Wilts one set of circles was on Overton Hill, and the great circular enclosure of Avebury is on a gentle elevation.

The points of dissimilarity between Avebury and Carnac are numerous. At Carnac there are many Lines of Stones in each monument, at Avebury there were never more than two. In the Carnac and neighbouring circles there is no vallum and no fosse, and no concentric circles;—at Avebury there are all these.

Notwithstanding these differences I should imagine the destination of all these monuments to have been the same; and I should point to the Britanny ones for priority of date.

I have not seen the stone avenues of Dartmoor—but they are described by Sir Gardner Wilkinson as in some instances pointing to and leading up to concentric circles and cromlechs or cists, and as therefore being in some way connected with sepulchral monuments, or serving some religious purpose in connection with the burial of the dead.

There are few circles not associated with avenues in the Morbihan.

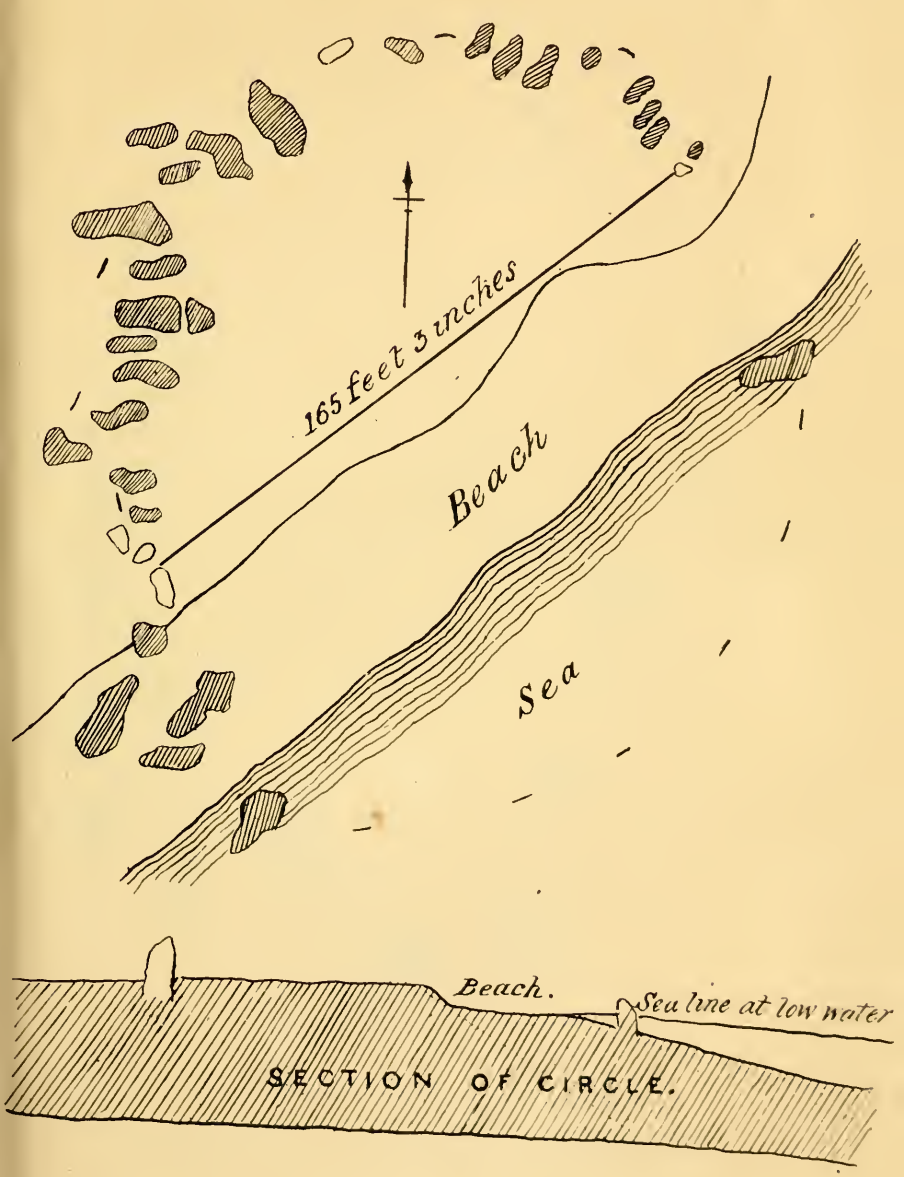
One exists in the Ile-aux-Moines, and a second on Isle-Lanic. The third, at St. Pierre, Quiberon, is not far from a group of avenues. Not one is in a perfect condition.

The first is a crescent or horse shoe form, and it has been questioned whether it was ever more than a segment of a circle. The distance between the two points of the crescent is 322 feet.

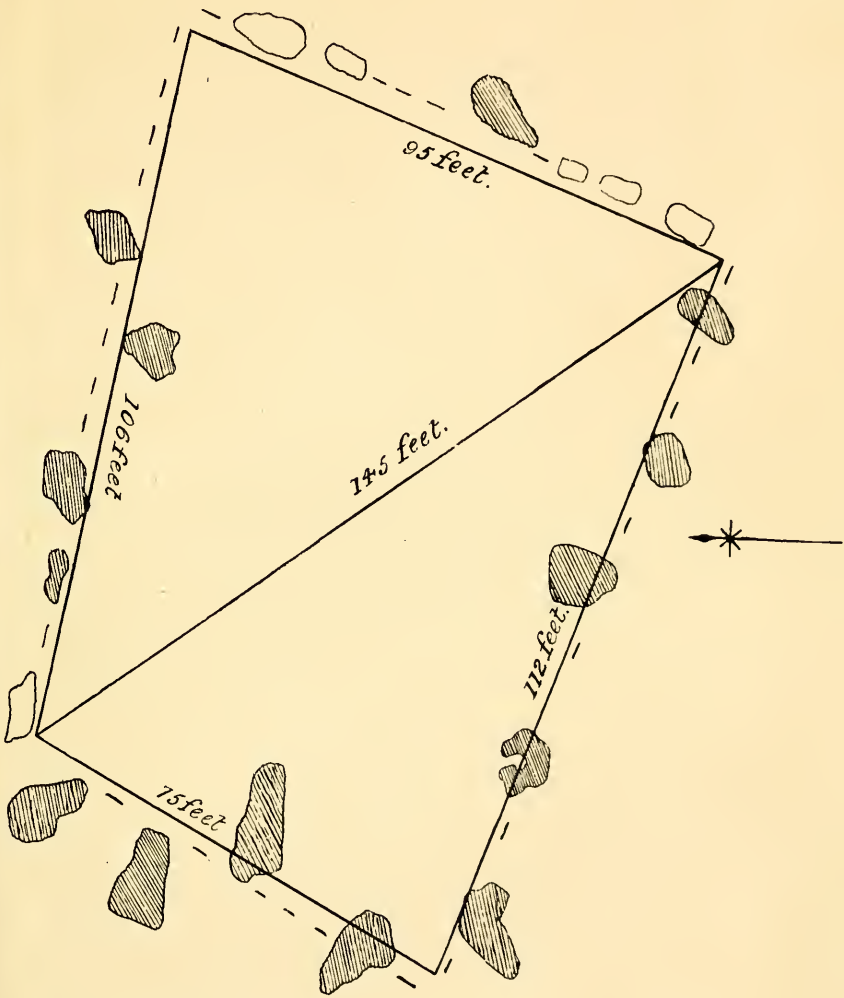
The second is upon a very small island close to Gavr' Inis, the island being only about 200 yards in diameter. On the south side the land slopes gently towards the sea, and on this slope lie the remains of a circle of 165 feet in diameter. Three only of the stones are standing, the others are fallen. The sea has encroached upon the island, and its stormy waves have carried away a portion of the circle, and continue to destroy both it and the island annually. When Sir Henry Dryden and I planned it in 1868, the tide happened to be low, and we had a good opportunity of observing some of the stones that had completed the circle lying on the beach and rocks, and resting not far from their original places. This is the only example with which I am acquainted in Britanny where the pre-historic people have left abundant traces of the unknown customs which they practised upon such spots, and I trust it will receive, as it deserves, a most careful examination with the spade from the proprietor. Not only is the area of the circle thickly strewn with fragments of clay vessels, coarse and fine, ornamented and plain, and with animal bones and stone implements of various kinds, such as chisels, scrapers, knives, and hammers, but the whole of the small island itself appears to be sown with these objects. While we were engaged in planning, I picked up several good specimens of them that were lying on the surface, or had been brought to light by the action of the waves.

The third is 195 feet in diameter, and has been deformed by the cultivators of the land, many of its stones having been displaced. I was informed, in 1869, that the proprietor or occupier intended removing what remains of this circle, because the stones interfere with his agricultural operations.

I know of one example only of a square of menhirs in Britanny, and this is in the Morbihan, on the borders of the parish of Erdeven,

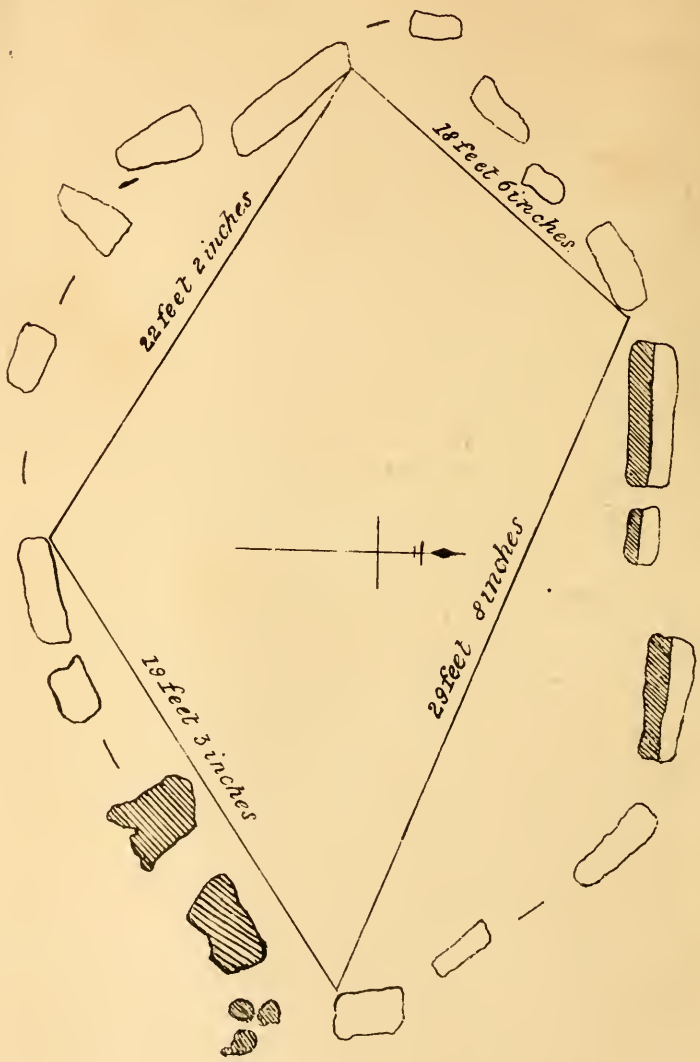


ILE EL-LANIC, MORBIHAN.



SQUARE OF MENHIRS, ERDEVEN

MEASUREMENTS APPROXIMATE.



MEGALITHIC CIRCLE ON ROMBALDS MOOR,

YORKSHIRE

and not far from the gigantic Dolmen of Kerconno. The destination of this square I can simply guess at, and suppose that it served the same purpose as the circle.

There are a few stone circles in Yorkshire, on which I wish to make two or three observations. My attention was drawn to them very recently by reading in the newspaper an extract from Mr. Wardell's "Historical Notices of Ilkley, Rombald's Moor, and Baildon Common." His description is not quite accurate. From his account, I expected to find near the Hornecliffe shooting-house, on Hawksworth Moor, a small circle of upright stones, enclosed in a second circle of stones set on edge, whereas I found a structure not closely answering this description. There are very few stones set on edge, and I think that originally very few, if any, of the others were so set, and there is no inner circle. There are a few small stones about a modern excavation in the centre, but they appear to have been thrown there at random. The larger number of the encircling stones have the appearance of having been laid flat, one on the other, in the form of a wall. The stones are generally small (two to three feet in length), and the greatest diameter of the area, which is of irregular shape, is about thirty feet. The monument is called in the ordnance map "Druidical circle."

A second structure, resembling the former, marked on the map as "site of a tumulus," is at a few yards distance south of the shooting-house, on Burley Moor. Here more of the stones are set on edge, and outside of them is a bank of earth and stones, about five feet wide, against which they rest.

A third monument, described by Mr. Wardell, is at a distance of two-thirds of a mile west from this shooting-house; and is a small circle as compared with those I have described as existing in Britanny, the diameter being about forty-seven feet, and the highest stone three feet three inches above the ground. This structure is of a different character from the other two, and was probably destined to serve the same purposes, whatever they were, as those in Britanny. I should be inclined to look upon the two other circular inclosures as being the remains of dwellings, *i.e.*, of hut-circles.

W. C. Lukis.

ON THE

Occurrence of the "Chalk Rock" near Salisbury.

By William Whitaker, B.A., (Lond.)
Of the Geological Survey of England.

In 1861 a bed was described, under the name "Chalk-rock," which, in the counties of Wilts, Berks, Bucks, Oxon, and Herts, seemed to form the top of the Lower Chalk.[1] Its occurrence in the Isle of Wight, though in a less marked form, has since been noticed;[2] some new sections in North Wilts have been described in the Wiltshire Society's Magazine by my friend Mr. T. Codrington,[3] and I have also seen it in Bedfordshire[4] and Dorsetshire. As it is open to view near the town (Wilton) where the Society is to hold its meeting this year (1870), a description of two sections in that neighbourhood may perhaps be acceptable.

The Chalk-rock, where best developped (from near Marlborough to near Henley-on-Thames) is a hard somewhat crystalline cream-coloured chalk, ringing when struck with the hammer, jointed, and with layers of irregular-shaped green-coated nodules. Sometimes however it consists simply of one hard nodular layer.

In the cutting on the South Western Railway just north-east of Barford St. Mary (west of Salisbury), there is a good thickness of the Upper (or flinty) Chalk, the flint occurring both in the form of nodules and of thin tabular layers. From below this the Lower-Chalk (which here contains a few flints) rises westward at a very small angle: it is hard and of a somewhat nodular structure, and at (or close to) the top has a layer of green-coated nodules. This hard nodular layer is the bed to which I wish to draw attention, not only

[1] Quart. Journ. Geol. Soc., vol. xvii, p. 166. See also Geological Survey Memoirs on Sheet 13, p. 19 (1861) and on sheet 7, p. 5 (1864).

[2] Quart. Journ. Geol. Soc., vol. xxi, p. 400.

[3] Vol. ix, p. 167.

[4] Mr. J. Saunders, whose notice I called to this bed, has described a section near Luton, Geol. Mag., vol. iv, p. 154.

on account of its wide range and distinct character, but also because it yields a somewhat peculiar set of fossils.

A better section is given by a smaller cutting close by westward, where the chalk-rock (dipping 2^0 or 3^0 eastward) forms a hard ledge a foot or more thick, with green-coated nodules at its well-marked top, sharply dividing it from the chalk above, whilst on the other hand it passes down into nodular chalk, both hard and soft, in which another but fainter bed of the "rock" occurs about five feet below the layer of nodules. There are flints in the Upper-Chalk and thin layers of marl in the Lower.

As these sections are very near the outcrop of the Upper Greensand it follows that the Lower Chalk and the Chalk Marl are comparatively thin here.[1]

Remarks on Wilton Church.

By the Rector, Rev. Dacres Olivier, M.A.

(Read before the Society during the Meeting at Wilton, September, 1870.)

However conventional such an apology may appear, I cannot proceed with this paper without assuring the members of the Society that I enter upon my subject with the utmost diffidence. When invited, however, to say something about Wilton Church, I felt it would be a sort of treachery to decline. Of that Church in which I have been privileged for the last ten years to minister—which one of Wiltshire's most distinguished men erected—whose beauty and grace and religious impressiveness grow on me daily and hourly, and are indeed, the source of one of my life's chief happinesses—of this Church how could I not, when asked, at least *try* to say a few words?

To begin then—I have only to *remind* the members of this Society that the gloss on the stone of our Church, and its still sharp and unworn lines ought not to deceive or mislead them. For ours is no

[1] A very good example of the "Chalk Rock" may be seen on the top of Whitesheet hill, South Wilts. It is there about three feet in thickness. *W. C.*

new or modern town—an off-shoot of Salisbury hard by, or a residence lit on by men of the day in search of a fair, healthy home. Nay, our town is, above all—"*the* County Town," as having given all Wiltshire its name, and as having long been the chief place in it. Here lived and died, and were buried, old Saxon kings. Here for six hundred years there stood, not a stone's throw away from the town-hall, till Henry VIII. fell upon it, a monastery, aristocratic perhaps above all others in the land; and the school where earl's daughters, and queens soon to be, were trained; and here round the abbey, there clustered, it is known, no less than a dozen churches. Of these, alas! five can only at present be traced, and our one Parish Church is a structure completed 25 or 26 years ago.

The old church—S. Mary's—standing close by, being found about the year 1840 to be both in an unsafe condition and insufficient in point of room for the parish, the late Lord Herbert, then Mr. Sidney Herbert, volunteered to provide a new one, and chose for the site, a piece of ground in West Street, on which, or near to which, another of the twelve former churches of the place, *S. Nicholas*, is supposed to have stood.

I will not enter on the history of the construction of the new Church except so far as to say that Mr. T. H. Wyatt, was employed as its architect, and that the operation of building it engaged the constant attention, and liberal interest of Mr. Herbert's mother, the late Countess of Pembroke, as well as her son's.

The style which Mr. Herbert selected was no doubt one which he had learnt to admire during his frequent visits to Italy, though it rather defies exact definition.

There are two churches at Toscanella, near Viterbo, which Mr. Fergusson says defy any attempt at classification, and inasmuch as Wilton Church bears to one of these,—S. Maria,—at any rate externally, a closer resemblance than, I think, any church which can be mentioned, we may assert of Wilton Church, that it is impossible exactly and precisely to classify it.

Perhaps I may be excused, if, with a view of more accurately explaining the form of our Church, I pause here for a moment while I venture very briefly and roughly to examine the history of such

church building in Italy as preceded the date when the style was reached with which our Church most corresponds.

Italian church building commenced when the Emperor Constantine in the year of our Lord 312, embraced Christianity, and he was the first man to rear a real Christian Church, and to admit to a worthy sanctuary that despised community which had hitherto been accustomed to worship in the Catacombs.

From his time to that of Justinian—a period of rather more than 200 years—there was, in the main, one type of church architecture throughout the whole empire of Rome, or in other words I suppose, the whole Christian world almost. And that type was borrowed by Constantine, as well as by his successors—from the old Roman Hall of Justice—the Basilica. I shall be guilty indeed, I hope, of no impropriety if I assign to this period the name *Basilican*. At the outset of this period, Christian churches were for the most part Basilicæ, adapted as places of Christian worship, and even when Theodosius went further, and built, "de novo," a church, he retained for his model this old hall of justice, the child of imperial Rome.

There is an example at Treves, which enables us to imagine these *halls* very easily. Like many though not most of the old Roman temples, they were oblong, and very lofty in shape—covered in by a nearly flat roof—rounded off at one end, and entered probably at the other—pierced at this rounded end as well as at both sides with one or two tiers of small rounded windows, and built for the most part, of unmitigated, unplastered brick. Their interior in short was their most picturesque belonging, and this has been so well and so vividly described by Mr. Hope, in his still standard work on architecture, that I shall venture to cite his description.

"The principal area, he says, of the Basilica of an oblong form was divided, (though not always—witness the Treves Basilica) by a double range of columns, into a central avenue and two lateral aisles in one of which waited the male, and in the other the female candidates for justice. These three longitudinal divisions were terminated by another of a transverse direction raised a few steps above them, whose length embraced their collective width, and whose destination was to hold the advocates, the notaries, and others employed in pro-

secuting causes. Opposite the central avenue, this transept swelled out into one of those semicircular recesses or terminations with a ceiling rounded off like the head or conch of a niche, so frequent in the later Roman buildings, called in the Greek Apsis,—and in the Latin Tribuna—In this sat the magistrate—('the Prætor' in the hall 'Prætorium,') with his assessors, and from this, courts of justice have since been called Tribunals. Other recesses semicircular or square opposite to the lateral avenues served for different purposes of convenience." Such was the building presented by the Emperor Constantine to the Christians of his day for the purposes of their worship, and imitated by all church architects till the time of Justinian. During the fourth and fifth centuries I believe there were seven such churches erected in Rome, of which the most famous were those of S. Pietro, S. Paolo, and S. Maria Maggiore: there were also several, and among them that of S. Sophia, built at the other seat of empire—Constantinople.

Of the Roman Basilicas—S. Peter's—supplanted by the S. Peter's now standing, in the year 1503—tho' not as large as its successor, filled an area as large as that covered by any mediæval cathedral, excepting those of Milan and Seville. It was built by Constantine himself about the year 330—and had five aisles.

In outward form, though of course on an extremely magnified scale, it must have resembled Wilton Church without its campanile, without its west front, and without the windows in its apse. It had indeed probably, so far as can be judged by the representation of it which appears in Raphael's fresco of the coronation of Charlemagne, only one apse, and its lower tiers of windows, being a subsequent addition, were pointed. In the interior there were four rows of columns, all I believe of marble, taken from some heathen disused temple, and these columns in the centre aisle were connected by an architrave, instead of, as at Wilton, by arches. In the side aisles however the columns enjoyed the more common and elegant superstructure of the arch. A round arch separated the nave from the sacrarium, and a second lower, and also round arch, the sacrarium from the apse; in which (as I have said) there were no lights owing probably to their not, in the bright climate of Italy, being required.

The Basilica of S. Paul's outside the walls,[1] built by Theodosius the Great, about the year 386, must have been magnificent. It was destroyed by fire in the summer of 1822, remaining thus almost to our own days, the one majestic representative of the Imperial Christian Basilica. The two side aisles and nave of this church were each 80 feet in width, and the columns separating the nave from the side aisles were joined, as at Wilton, by arches, instead of, as at S. Peter's and at the church of S. Maria Maggiore, by a horizontal architrave. The pillars were marble, fluted, with Corinthian capitals, 33 feet in height, and taken (it is said) from Hadrian's mausoleum. The extreme length of this Basilica was 411 feet—very nearly as long as Salisbury Cathedral—and its width was 215 feet, which is wider than Salisbury, at its greatest width. It was terminated by one central apse, approached by two flights of steps, and richly encrusted with mosaics.

Mr. Fergusson calls the *Basilica of S. Maria Maggiore* the best model by which to study the merits and defects of Basilican architecture, and as this is now standing, though hardly in its original form, many of the members of this society are probably familiar with it. For those however who are not so, it will be sufficient to imagine if they can, a nave twice as large as our's, flanked on each side by 36 Ionic columns, all of white marble: a flat ceiling elaborately carved, and gilt with the first gold brought to Europe: a clerestory piereed by windows divided from one another by pilasters of marble corresponding to the columns on the floor: the side aisles vaulted, and so rather out of keeping with the nave: an apse with *pointed* windows, a little raised above the level of the nave, and covered—though this too again is later work—with mosaics.

I have given instances of three churches belonging more or less to the Basilican type, which I trust may be of some assistance in the realization of its chief characteristics. The expanse, the loftiness, the simplicity of this style of architecture remain, in my humble opinion, unrivalled. Once given, those rich marble columns, and I suspect our friend the Goth would gladly have had them, and

[1] "*S. Paolo fuore delle mure.*"

it is hard to imagine a different or more agreeable arrangement than that which the first Christian architects adopted, while for general effect and acoustic properties, the Basilica, is not, I think, matched.

With Justinian, as I have said, in the year of our Lord 527, a development of this style—nay, almost a partial revolution in it, may be said to have occurred. The Emperor Justinian not content with aspiring to be the legislator of mankind, claimed also to be their great architect. I suppose he must have had at Constantinople some master mind to consult; but of one of the two chief characteristics of the new style of building introduced in his time, he claimed, it is said, himself to be the originator. The Cupola or Dome, as applied to a Christian church, was his own idea, and this with the short equal-limbed Greek Cross was the vital distinction of the Byzantine style. The first experiments in this style were made at Constantinople, and between the reign of Constantine and that of Justinian it is said that 1800 religious structures were erected in the Eastern Empire.

As there is hardly however a trace in Wilton church of anything Byzantine, I need not occupy time in describing this style. Perhaps we ought to call mosaic decoration a Byzantine idea, (since the Greeks are supposed to have taken out a sort of patent in enamel at this time) and if so, all ages are indebted to them. The splendour and finish which this work gives to every part of the interior of any spacious church, can hardly be described. One must go to the scenes of its triumphs, at Milan, at Venice, at Ravenna, to see what can not be imagined. At the latter-named place there is perhaps the oldest mosaic, since of St. Vitale Justinian was himself the builder, and the example serves to show many features of the style of which I am speaking. There may be noticed the dome, the massive piers, and the tiers of arcades which occur on the face of the inside walls, and it may be readily imagined to what endless modifications or exaggerations the introduction of these two features alone gave rise. To the introduction of the cross by the Greeks who repaired to Ravenna (the seat at that time in the west of the Imperial Government) the Latin cross as applied to building almost owes, I believe, its existence. In all the early Basilican churches

the form of the cross is hardly perceptible, but from the time of Justinian onwards it obtained, as it deserved, more prominence. Only, in Rome and the West it was distinctly the Latin and not the Greek cross, the Italian of the south—and indeed of the north—being decidedly conservative in regard to their Basilica and loving to produce in their churches wherever they built them—its feature of length.

I trust that I have now in some degree pointed out the condition of church architecture in Italy at the time to which I now desire to pass, the time when the Lombards arrived in the north of Italy, or rather perhaps at the time when they had exchanged their character of newly-come invaders for that of an established, though short-lived kingdom: which can hardly, I suppose, be said to have been the case before the early part of the seventh century.

They found established as the prevalent model of the Christian church, the Basilican form: they found in the west part of Italy a circular church, and the Greek cross form, here and there: they found also the cupola adopted as the crown, so to speak, of the cross so employed, though such instances were at this time, exceedingly rare.

And what did the Lombards import? If we speak of the Lombards *as* Lombards, as members I mean of that vast barbarian horde which overran Europe at the conclusion of the fifth century, and to whom the Goths of ill fame, were nearly related, I really do not know that they imported anything; the Lombards being conquered by the Franks, and collapsing towards the end of the eighth century, and there being strictly speaking, no one authentic monument of their time, in the shape of a church existing. But if by the Lombards is meant the men of that part of Italy to which the name of Lombardy or something like it, is attached throughout the middle ages, the men of the district of which Turin and Venice form the two northern, and Viterbo, and Ancona, the two southern corners, if the mediæval architects of this glorious district formed architecturally speaking, the Lombard school, why then—to these Longobards, as they were formerly called, we owe the finest works of art existing in the world

But it is not so. Architecturally speaking the Lombard school

appears almost one whose vocation it was to obstruct Gothic art, or at least to maintain the round arch. From the beginning of the eleventh to the beginning of the thirteenth century when the Gothic pointed arch, in spite of all resistance, made its way into northern Italy, and Sienna, and Florence, and Milan cathedrals were erected —through these 200 years the Lombards were occupied in perfecting as far as could be the old round arch—in fighting might and main for external flat walls, innocent wholly of buttress—and in producing some few ornamental effects distinctly their own. In the course of these 200 years Novara cathedral was built, in which the Basilica form is retained, in which the nave is separated from a much longer apse than ever belonged to a pure Basilica, by a square space covered by a dome within, and a tower without, and in which piers as well as columns abound. I mention this last-named fact, because the pier rendered needful where the weight of the roof was great, is a thoroughly Gothic as well as Byzantine feature, and because in the early Basilican church, they are rarely if ever met with. At Novara moreover, the windows are all very small, though here and there parted by small central shafts, and the round arch is found all dominant. Of other examples of this Lombard time, I might name S. Ambrogio at Milan, S. Michele at Pavia, the cathedrals of Parma, Moderna and Piacenza, and lastly S. Zenone at Verona, wherein there are two or three note-worthy Lombard characteristics, for instance, the round wheel window surmounting the porch. This window, put in, when the rest of the church was built towards the end of the twelfth century, and therefore *late* Lombard, is spoken of in an inscription in the Baptistry as a wonder in those times. Perhaps it was borrowed from France, for there such windows reached their greatest perfection—but at any rate it is also essentially Lombard, and appears in our Church, as well as in its model at Toscanella. Then again the porch below—*projecting*, and not recessing as in Gothic churches, flanked by its two columns, supported by lions, is peculiarly *Lombard*. The Lombards were given to representation of monsters and animals. We see them worked into their capitals, studding here and there their façades, and lining sometimes their panellings. The sacred emblems the lion, the man, and

the calf and the eagle are constantly met with, and indeed their ingenuity in ornamentation was not inconsiderable, although their west fronts when compared with a Gothic west front may be somewhat mean. It is in the interior of the church that their skill, and their taste are most to be seen. The apses are very beautiful, and raised, as they became in later times, by the crypt being built underneath, they confer on the whole of the church, of which they form a part, a sublimeness, and religious impressiveness which deserved imitation. As another feature of this time—exampled in this church and at Verona—I must not pass by the campanile or tower, as well as the cloister. The campanile (originated I fancy in the East) was freely adopted by the Lombards—sometimes surmounting an internal cupola, sometimes built into the angles, and sometimes detached from the church altogether. There was a tower at Ravenna, a round one, as early as the time of Justinian, but inasmuch as Pope Adrian the First was the introducer in fact of bells into Christian churches, few towers could have been known before the Lombard age, connected with churches.

I would call attention again to the corbel table at S. Zenone which was an ornamentation very favorite with the Lombards, and now remembering that the slender columns in the bevilled jambs of porches and windows alike, each one supporting its own round arch, that the use of three portals instead of one at the west end of the church: that the quaint and grotesque designs perceptible now, in pilasters and shafts of all ages—the twisted and fluted and knotted and the spiral, and zig zag, and scroll like—that the horse shoe, and trefoil and even sometimes the Gothic round arch are all of them Lombard points—let us proceed to our parish Church of Wilton, and examine carefully its style.

We shall see I believe, a Church which you might have seen new in Italy in the twelfth or thirteenth century. We shall see a genuine Romanesque Church. A Church *i.e.* true in its form to the Basilica type, and true in its outside and inside details to Lombard art. There are the lofty and flat side walls pierced above and below by the small round windows—the western façade presenting the round wheel window, the round arched arcade, the three indented porches

—the apse at the other end, slit here and there for its seven lights, and sheltering its Lombard crypt, and the tower, tall and stately, and growing in grace the longer one knows it, attached to the church by a cloister.

Then passing within, the Basilican form awaits our inspection. There are the three long and lofty aisles, divided by columns. There is the apse, three apses in short, as there are at S. Pietro in Vincoli in Rome, and at Parenzo in Istria. There, above the tops of the columns in the nave, extends an arcade, and above it, the clerestory windows. There, at the far east end, the altar is reached by two flights of steps, is backed by the seats of the clergy (reminding one much of the church at Torcello), is lighted by windows above and behind it, each flanked by an elegant shaft, and crowned with a round headed arch. These latter are all Lombardic in type.

Our apses are all three beautiful, but the central one is certainly most so, its elevation alone distinguishing it, and its ornamentation being by no means despicable. The fine old glass in the windows, nearly all of the twelfth and thirteenth centuries, and the light columns and arches, (festooning as it were the sedilia, composed both of marble), are for example, well worth attention. The detached columns, again, standing forward in the sacrarium, spiral in form, made up of mosaics from a shrine of S. Maria Maggiore, which was erected in Lombardic times, and so happening to be contemporaneous in their style with that of the Church, and fitted as lights, the tesselated floors, and rich red marble steps, leading up to the apse, should not be unnoticed. On one account only I think may the eye of the artist be positively dissatisfied. It will look in vain for the scenic mosaic, so usual in every note worthy church of the style in Italy, and may be impatient perhaps of the far less enduring, and *so* less effective paint which is actually used. Now that Triqueti, Salviati, and others have made the acquisition of this ornamental completion of ceilings and walls both easy and inexpensive, it does seem a matter of regret that some true lover or lovers of the beauty of holiness should not take in hand the introduction of mosaic into at least the central apse of our Church: than which there can be none in the land, in which it would be more appropriate. I have

thought that such a work might be *gradually* done; that we might first get a finished design of the whole of the work, and carry it out by degrees—we should then I think have a perfect example of a Church, representing the earliest features in detail possessed by a Christian Church in Europe, and were this work accomplished, the County of Wilts, and its old County Town would possess a thorough distinction, and we might hope that the members of the Wiltshire Archæological Society and all true lovers of ecclesiastical architecture and art, would pay us frequent visits, for our magnificent Church would then be a finished gem, complete in its decoration as well as in its proportions and architecture.

Notes on a Long Barrow on Oldbury Hill.

EARLY in the year 1864 a paragraph in one of the local papers stated that some skeletons had been found on Oldbury Hill. On visiting the spot it appeared that in digging for chalk for the purpose of making whiting, the workmen had trenched on a barrow. It is situated on the top of an elevated knoll forming a spur on the W.N.W. side of the obelisk. It is in length 60 feet, in breadth 26 feet, and about 3 feet high. The opening made by the labourers was on the S.E. They found three skeletons lying with the heads towards the east, in a large shallow grave surrounded by small blocks of sarsen stone. As far as I could ascertain nothing had been found with the bones. In the earth with which the grave had been filled up was an abundance of rude pottery and flint-flakes.

Although none of the bones had been burned, there was a considerable quantity of charcoal and wood-ashes towards the bottom of the cavity, particularly on the north side. Many of the flint-flakes were burnt, but only one was found which showed traces of having been subjected to any manipulation beyond the original flaking. The whole of the barrow had been much disturbed by the workmen, and many of the bones had been carried away by people

visiting the spot. The crania were much mutilated, but Dr. Thurnam has kindly examined them and reports that one is the skull of a man, and two those of women. They are of the lengthened oval, or *dolichocephalic* form, such as are generally found in the long barrows of Wiltshire and Gloucestershire. Dr. Thurnham gives the measurement of these crania in his paper, "On the Two principal Forms of Ancient British Skulls."[1] From this table (Table II.), it appears that the male skull has the breadth-index as low as ·68, and the two female skulls that of ·71 and ·74 respectively.

On digging in the centre of the barrow a cist six feet eight inches in depth, and about two feet wide, by three feet long, was discovered. It contained no traces whatever of human remains or art, excepting a few wood-ashes, and these may have fallen in accidentally. It is probable that this part of the barrow had been rifled at some former period. A fragment of a bone implement was found in the upper part of the barrow, just under the turf, and a rude, but well-worn muller, of sarsen-stone—both had been partially burnt. I had trenches dug on the north and north-east sides of the barrow, but no traces of any interment were seen.

April 22, 1864. W. C.

Donations to the Museum and Library.

The Council have the pleasure of acknowledging the following Donations:—

A Water Colour Drawing of Malmesbury Abbey. From JOHN GODWIN, ESQ.

Roman and other Coins. From Mrs. TANNER, *(Yatesbury,)* MARSHALL HALL, Esq., and Admiral MONTAGU.

From the latter donor a Pamphlet on Portland Breakwater, 1816.

A Photograph of the last Wiltshire Bustard. By Mr. GRANT.

DAVIS'S "*Origines Divisianæ*" 1754. By Rev. Canon JACKSON.

The following have also been received. "Proceedings of Society of Antiquaries of London, to December, 1870." "Journal of Historical and Archæological Association of Ireland, April and July, 1871." "Transactions of Essex Archæological Society, vol. v., pt. 1." "Proceedings of Somersetshire Archæological and Natural History Society," for 1869 and 1870.

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[1] Memoirs of Anthropological Society of London. Vol. i., p. 473.

WILTSHIRE ARCHÆOLOGICAL AND NATURAL HISTORY SOCIETY.

Abstract of the Account of the Receipts and Disbursements of the Society, from the 1st January to the 31st December, 1870, both inclusive.

DR.

	RECEIPTS.	£	s.	d.
1870.	To Balance brought from last account	278	10	8
	,, Subscriptions and Entrance Fees of Members ..	175	6	0
	,, Cash received for Sale of Magazines	20	4	2
	,, Ditto for "Aubrey" Volume	12	10	0
	,, Messrs. Locke & Co., Interest on Deposit	4	15	0
		£491	5	10

CR.

	DISBURSEMENTS.	£	s.	d.
1870.	By sundry payments, including Postage, Carriage, Advertising, &c.	26	7	2
	,, Cash paid for Books	3	4	6
	,, Ditto for a Book-case	9	10	0
	,, Ditto Printing, Engraving, &c., on account of Nos. 35 and 36 of the Magazine, and the 2nd Part of the Blackmore Volume	118	3	0
	,, Insurance	0	10	3
	,, One year's Rent of Room at Savings Bank	11	10	0
	,, Financial Assistant Secretary, Salary and Commission	18	15	3
	,, Balance in the hands of Messrs. Locke & Co., (including £200 on Deposit)	303	5	8
		£491	5	10

WILLIAM NOTT,
Financial Assistant Secretary.

The Account of the Rising in the West in 1656, *and of the Execution of John Penruddock and Hugh Grove,* the publication of which has been unavoidably delayed, will appear in the next number, also a Paper by Canon Jackson on *The Sheriff's Turn, Co. Wilts,* 1439, *&c.*

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FOR THE SALE OF THE

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Bath ..... R. E. Peach, Bridge Street.
Bristol ..... T. Kerslake, 3, Park Street.
Bradford on Avon. J. Day, Old Market Place.
Chippenham ..... G. Noyes, High Street.
Devizes ..... H. F. & E. Bull, St. John Street.
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Swindon ..... J. New.
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No. XXXVIII. MAY, 1872. Vol. XIII.

THE

WILTSHIRE

Archæological and Natural History

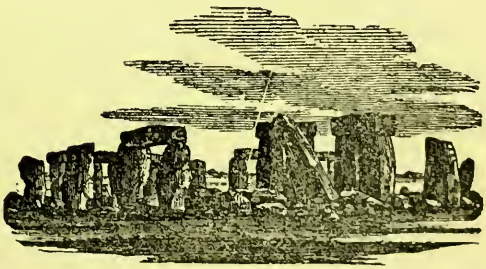
MAGAZINE,

Published under the Direction

OF THE

SOCIETY FORMED IN THAT COUNTY,

A.D. 1853.



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Price 4s. 6d.—Members, Gratis.

The ANNUAL CONGRESS of the SOCIETY will probably be held at TROWBRIDGE, towards the end of July next.

NOTICE TO MEMBERS.

Members who have not paid their Subscriptions to the Society *for the current year*, are requested to remit the same forthwith to the Financial Assistant Secretary, Mr. William Nott, 15, High Street, Devizes.

The Numbers of this Magazine, will not be delivered, as issued, to Members who are in arrear of their Annual Subscription: and who on being applied to for payment of such arrears, have taken no notice of the application.

Some of the early Numbers of the Wiltshire Magazine are out of print, but there is a supply of other Numbers which may be had by persons wishing to complete their volumes, by applying to Mr. Nott.

The Annual Subscriptions (10*s.* 6*d.* payable in advance, and now due for 1872), should be sent to Mr. William Nott, Savings Bank, Devizes, to whom also all communications as to the supply of Magazines should be addressed.

All other communications to be addressed to the Honorary Secretaries: the Rev. A. C. Smith, Yatesbury Rectory, Calne; and Mr. Cunnington, St. John's Court, Devizes.

The Rev. A. C. Smith will be much obliged to observers of birds in all parts of the county, to forward to him notices of rare occurrences, early arrivals of migrants, or any remarkable facts connected with birds, which may come under their notice.

THE

WILTSHIRE
Archæological and Natural History
MAGAZINE.

No. XXXVIII. MAY, 1872. Vol. XIII.

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THE

WILTSHIRE MAGAZINE.

"MULTORUM MANIBUS GRANDE LEVATUR ONUS."—*Ovid.*

The Sheriff's Turn, Co. Wilts,

A.D. 1439.

By the Rev. Canon J. E. JACKSON, F.S.A.

"TURN," (says Jacob's Law Dictionary) "is the King's Leet (or Court) through all a County, of which the Sheriff is Judge, and this Court is incident to his Office, wherefore it is called the Sheriff's Tourn. It had its name originally from the Sheriff taking a *Tour* or *Circuit* about his shire and holding this Court in several places: for the word Turn properly taken, doth not signify the Court of the Sheriff, but his Perambulation." In ancient times this Court used to be held in every Hundred in a County as often as the Sheriff thought fit, but by Statute it was afterwards limited to twice a year. A Jury was sworn, and Tithing-men made their presentments. The offences presented were chiefly of the minor sort, nuisances and annoyances; such as selling of corrupt victuals, keeping false weights and measures, disturbances of the peace, injury to public roads, and the like; matters which have long since devolved upon Magistrates at Petty Sessions. Old payments due to the Crown, either from a Hundred, a Tithing or a Manor: "Certain Money," or "Tithing Silver," "Certain Silver," or "Cert-silver," "Leet (sometimes corrupted to "Lady) Silver," were at such times received by the King's Officers.[1]

The places at which the Sheriff, or his Deputy, attended in his "Turn" or Circuit, to hold his Court, were not always either in

[1]This is I believe the meaning of the word "*Certum.*" Payments of this name still continue, in the Hundred of Malmesbury for example, not to the Crown, but to the Lord of the Hundred.

Towns or Villages where the "Black Swan" or the "Red Lion" might present friendly consolation to man or beast, but very often at out-of-the-way and lonely spots used from very remote antiquity for purposes of public rendezvous. Deborah (who must have been a very remarkable lady) prophetess, poet and warrior, held her Court as Judge of Israel "under the Palm Tree of Deborah" near Bethel in Mount Ephraim. In Wiltshire the rendezvous was sometimes upon a bleak down, or at an ancient Elder stump, or old Hoar Stone, on the limits of a Hundred: some old fashioned gathering place or other, established by lapse of ages, as *the* lawful place, at which, and no where else, the Crown dues were payable; no matter how personally inconvenient to the Crown officer, his Deputy, his Bailiff or any body else.[1]

What follows is the substance of an original Latin document of the year 1439 (17. Hen. VI.), found among the Marquis of Bath's

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[1] Many examples might be produced from every County in England of Hills, Trees, such as Oaks, or old Elder stubs, large Stones, &c., having been *the* places for Public Meetings of various kinds. The following are a few instances that happen to be at hand.

At Edwinstowe in the middle of Sherwood Forest, there is (still protected) the "Parliament Oak" under which, according to tradition, a Parliament was held in K. Edw. I.

Near Dereham, Co. Norfolk, is a Hill on which the Sheriff's Court for the County used to be held. (Walter White's E. Counties, I., 211.)

In Tollard Royal, (South Wilts,) Sir R. C. Hoare (Chalk. 172) says, "There is, or till within a very few years past there was, a Court Leet of this manor with the Liberty of Lavermere, held in every year on the First Monday in the month of September. It is opened under a vast spreading tree called the 'Lavermere or Larmer Tree.'"

The Bishop's Court at Winchester having jurisdiction over all places formerly belonging to the Convent of S^{t}. Swithin, used in Norman days to be held under an Oak called "Cheney Oak" from *chêne*, French for that tree.

The Wapentake of Barkston Ash in Yorkshire probably takes its name from some similar custom.

The Hundred Court of Stone, Co. Somerset, is still held at a standing stone on a hill within the Hundred. In the Stone is a hollow, into which it is customary, on opening court, to pour a bottle of Port wine!

In the Hundred of Cullingford Tree, Co. Dorset, it was the custom formerly when "the Tithing" was paid "in the open" for a blind dog to be brought upon the occasion: and indeed (as stated by Mr. Seymour D. Damer in *Notes & Queries* 1871), "This unintelligible custom was in a certain measure carried on only a few years ago, by a dog being blind-folded."

Papers at Longleat and now used by his kind permission. Turned (for the sake of more popular reading) into English, and a number of formal repetitions being left out, it presents the official record of a "Sheriff's Turn:" viz., the account rendered to the Crown, by the Sheriff of Wilts, after he had, by himself or Deputy, visited the various places in Wilts, which in early days, had to be visited, in order to receive from the County of Wilts, such payments as were due to the Exchequer. It will be seen that out of the fifteen Hundreds in Wiltshire mentioned in it, there are several places appointed for the Meeting of the Sheriff's Court which it would now be very difficult if not impossible to identify.

The fifteen Hundreds, and the localities in each appointed for the holding of the Court, were as follows.

Swanburgh . .	held	"there."
Kyngbridge . .	"	"there."
Cadworth . .	at	"Wilton."
Chalke . . .	at	"Housthornys."
Doneworth . .	at	"Staple."
Wermester . .	at	"Ilegh."
Brench and Doll		"Wirdscliff."
Heightesbury .	at	"Ilegh."
Wherwells down		"there."
Westbury . .		"there."
Malmesbury . .	at	"Coufold—(Colepark).
Frustfield . .		"there."
Chippenham . .		"there."
Bradford. . .	at	Lye—(Bradford Leigh).
Caudon . . .		"there."

But, "*where,*" one may ask, *are* the positive localities, great or small, now called "Swanborough," "Kyngbridge," "Housethornys," "Wherwell's Down," or "Wirdscliff"? They, or some of them, may be and very possibly are, capable of being traditionally pointed out, but they do not appear upon any Wiltshire Map that I have ever seen.

The Place of Meeting, for the Two Hundreds of Heytesbury and Warminster was at "Ilegh." This spot is about two miles south of

Warminster, close to Southleigh (or "Sowley") wood. Here was an Oak called "Iley Oak," or "the Hundred Oak." Sir R. C. Hoare (H. of Warminster, p. 11) prints a document of A.D. 1651, in which it is stated that "The Courts holden by the Sheriff, called 'The Sheriff's Turn Courts' are kept at Iley Oak." And in a MS. Register (at Longleat) of the Protector Duke of Somerset's Estates in Wiltshire, is this entry: "Out of Corsley Manor," (near Warminster) "was paid viij^{s} yearly, to the Sheriff's Turne at *Hundred Oke*.[1]

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[1] A lively discussion was conducted some years ago in this Magazine, about the site of the celebrated Battle of Æthandun; in the course of which, an ingenious suggestion was made by Dr. R. C. Alexander Prior as to the route taken by King Alfred (V. 193). The stages of the King's advance against the Danes, according to the two old authorities, the Saxon Chronicle and Asser, had been, from Athelney to the "Petra Ecbrighti," or Ecgbright's Stone in the eastern part of Selwood: where he was met by the Men of the Counties Somerset and Wilts and part of Hants. Next day to Æcglea *or* Iglea where he encamped for one night. On the third day he encountered the Danes at Æthandun, defeated and drove them into a stronghold. Dr. A. Prior, [on the supposition that Ecbright's stone was Brixton Deverell] suggests that "Iglea" (if that is the real word) would from its meaning, (viz., "island flat") be found probably in the vale of Wyly near Heytesbury; in which case the Down above Heytesbury might be Æthandun, and Bratton Camp, the stronghold. This suggestion is, so far, curiously supported by the fact that in the vale of Wyly, two miles below Warminster near Bishopstrow Church, there is a ground marked in old maps as an island formed by the river Wyly and another small contributory stream: also, that about 400 yards from this are, still existing, the remains of a Camp, called "The Buries." Iley Oak or the oak where the folk of the Hundred of Warminster attended the Sheriff's Court was contiguous to the Camp called "The Buries." A very old man told me that the exact site of this oak (now gone) was close to Lord Heytesbury's Lodge at Sowley Wood (of which wood, Iley Wood forms the eastern part). A spot to which the Hundred had for centuries been summoned to meet the Sheriff, being notorious, might have been fixed upon as a rendezvous for military muster.

But Brixton (Deverell) could scarcely have been Ecgbryght's stone, for in Domesday Book Brixton is distinctly called "Brictric's *Town*." This according to the meaning of the Anglo-Saxon word "town," would signify the enclosed, or separate *lands* of some great owner of the name of Brictric: but "Ecgbryght's *Stone*" indicates a wholly different origin, viz, a *Memorial* of some circumstance or transaction connected with a hero of the name of Ecgbryght: either a combat, or a compact with neighbours, a limit of property, or some other of the many purposes for which great stones used to be set up in ancient times. If therefore in that neighbourhood any such Stone should still be forthcoming, bearing to this day a name at all approaching that of "Ecgbright's

This is a specimen of the original Record.

"SWANBURGH. Turnus Vic' tent' ibm die Merc' prox' post Festm Stor' Tiburcü & Valeriani Anno R. Henr' Sexti post conqm xvij°

Stone," its claim to having been King Alfred's *rendezvous* fairly deserves to be considered. Now it does so happen that a few miles N. W. of Warminster there is still to be seen an Ancient Stone, called "Redbridge Stone," marked on Andrews and Dury's County Map of Wilts, 1773. It is not very large: projecting at least above ground only two or three feet. It stands on the Fairwood estate, in a small plantation on the left hand of, and touching the Railway cutting, about one mile from Westbury Station going towards Frome. The mouth of the people, which has turned "Freeman's" into "Vermin's," "St. Edith's" into "Tiddy's," "St Oswald's" into "Snozzle's," and "Bello Sguardo" into "Beller's Garden" may, easily enough, have degraded "Eegbryght's" into "Redbridge."

I do not wish to be understood as contending that this is or must be the real Petra Ecbrighti. Not that there is likely to be any old Ochiltree to call out from behind a hedge, "Prætorian here, Prætorian there, I mind the *bigging* o't"—for it has all the appearance of great antiquity; but still, it may have some perfectly different history. The existence of such a stone, bearing such a name, standing towards the East of Selwood, well known to the peasantry and marked in a County map, struck me as a curious circumstance, and for that reason I mention it. Being close to the border of two counties it would have been a not unsuitable place for muster, and a ride of thirty miles through Selwood would have brought the King and his Staff to it from Athelney.

Supposing then only for a moment that this was King Alfred's first halting place, where was the next, the much disputed Ægglea? It is difficult to believe that it could have been either at *Cley* Hill, or Bu*cley*, or Leigh (near Westbury) or *Iley* mead near Melksham, all, places that have had their advocates. The distances are far too insignificant: and the same may be said of Iley Oak (near Warminster) above mentioned. The secret of Alfred's success [like that of Joshua against the Amorites] lay in the rapidity of a forced march. "Having with him all his men of war and all the mighty men of valour, Joshua came unto them suddenly, and went up from Gilgal all night." K. Alfred did not indeed go up "all night" but he "went up" from break of dawn, all day: till he reached Ægglea. In order to reach any one of the places above named he needed not to start quite so early nor travel so long. It must surely have been at an unusual distance. Dr. Beke, Professor of Modern History at Oxford many years ago, suggested that the King struck straight across Wiltshire till he reached the opposite boundary, where the Hundred of Æglei in Berks begins. This was an Old Hundred, but is now merged in another, the two forming Kintbury *Eagle*. The precise *spot* called Æglei from which the Old "Hundred" took its name may now be unknown; but *some* particular *spot* so called there must have been; precisely as in the case of several existing Wiltshire Hundreds mentioned above in the Text. Perhaps some Berkshire archæologist may some day be able to discover it under the disguise of Eggle, Aggle, Edgelease, Engle,

"Decenna de CHEVERELL MAGNA ven' plenè: Et dat de certo ad hunc diem xv^{s}. iiij^{d}. Et pres' qd vi.d. Ricardus Touker molen= -diuarius injustè cepit tolm ex^{e}. Ideo ipse in mia. Et qd via regia (apud) Hoke Bench infunderetur in defectu Johis Russell. vi.d. Ideo ipse in mia.

mia xii^{d}

"Decenna de LITLETON ven' plenè: Et dat de certo ad hunc diem viij^{s} viij^{d}. Et pres' qd vi.d. Wills Leder moln^{e} injustè cepit tolm. Ideo ipse in mia.

mia vi^{d}

"Decenna de LAVINGTON GERNON quum venire deberet plenè non venit nec aliquis de decennâ sua Et nihil datum de certo Et vocata sub penâ xl^{s} non venit. Ideo pena predicta." [*And so on.*]

The Return for each Hundred concludes with a Declaration on the part of the Jury, confirming the Presentments in each case.

"xii^{im} Jurat^{i}. videlect Johes Stampford et soc' sui affirmant omnia superius presentata. Presentant ultra predic' quod via regia prope Chirton infunderetur ad nocumentum in defectu decenne de Cherington. vi.d. Ideo ipsa in mia. Et precept 'est Decenne de Chirton emend cit' prox' sub penâ xl^{s}."

Oakley or Oxley, or some name of similar sound, attached to some petty hill, copse, or corner. At all events, if the Hundred of Æcglei in Berks any where touches the boundary of Wilts, a forced march of thirty five miles would have brought Alfred's men of valour from Ecbright's stone on the western frontier of Wilts to Æcglei on the eastern, in the course of the second day.

On the next day the celebrated Æthandun battle took place. There is an Edington quite close to Hungerford, but Dr. Beke suggested Yattendon which is about fourteen miles off. This latter is the place mentioned in King Alfred's will as one of his own estates, and certainly nothing is more likely than that he would have secured to himself the very soil on which he crushed the Danish power and secured his throne.

Dr. Beke's explanation has been by some considered to be very improbable. But why so? Alfred's expedition was a master stroke, the sudden pouncing of a hawk upon its prey. It required energy and celerity. Tardy movements of a few miles a day, almost within sight of the enemy, would never have answered his purpose. In this respect Dr. Beke's suggestion is one that seems to satisfy the most essential demands of the case.

The Record of the Sheriff's Turn, translated and abridged.

SWANBURGH.

The Sheriff's Turn held there on Wednesday next after the feast of Saints Tibertius and Valerian [April 14] xvii Hen. 6.

The Tithing of

CHEVERELL MAGNA came in full and paid cert silver due for this day xv^{s}. iiij^{d}. And it presents, That Richard Touker Miller hath taken excessive toll. Therefore he is in mercy (*i.e.*, at the mercy of the Court). And that the King's Highway at Hoke Bench is overflowed through fault of John Russell. Therefore he is in mercy.

CHEVERELL PARVA p^{d}. 4^{s}. John Norton and Matthew de Aune (or Anne) fined vi^{d}. each for breaking the assize of beer. Also for selling beer in false measure ["per siphos et discos false mensure."] The Tithing saith it hath not the said "siphos." John Norton, miller, fined for over toll.

LITTLETON p^{d}. 8^{s}. 8^{d}. W^{m}. Leder, miller, fined for over toll.

LAVINGTON GERNON ought to have appeared but did not, nor any one from the Tithing. No money paid. To appear next time under penalty of xl^{s}.

STAPUL LAVINGTON p^{d}. 8^{s}. 8^{d}. W^{m}. Reynolds, miller, fined. Roger Clerk, sworn to assize.

ESCOTE has two Tithingmen. Nicholas Pulle, one of them, to be rebuked for not appearing. 8^{s}. 8^{d}. John Cley jun^{r}., miller, fined vj^{d}. Also John Cley, sen^{r}. do.

ERCHESFONT. Two Tithingmen. 14^{s}. W^{m}. Mershman, and John Shoter, in default.

WEDHAMPTON. Two Tithingmen. xvi^{s}. vi^{d}. Highway out of order through fault of the whole Tithing. To be mended, or 40^{s}. fine.

CONOK. Two Tithingmen: 10^{s}. 8^{d}. Highway (as the last).

STERTE. 4^{s}. John Note and John Green, at two mills, fined. John Green also in default. The King's highway in Echelham-strete within the Tithing of Sterte is overflowed, owing to Nicholas Tyler's ditch not being scoured. Ordered, &c.

ECHELHAMPTON. 3^{s}. Elias Hill in arrear.

ALLINGTON. 6^{s}. All well. ["Pres' q^{d}. omnia bené."]

ALLECANNINGS, Four Tithingmen: 28^{s}. John Sutman, miller, fined. Highway called Mereway, to be repaired by the Tithing.[1]

STAUNTON. Two Tithingmen: 13^{s}. Edw. Brid, and John Gye, millers, fined. John Jakys's ditches to be cleaned. highway under water.

AULTON BERNERS. 2^{s}. Robert Notte, miller, fined.

WODEBURGH. 3^{s}. John Jentilman, miller, fined. John Gilbert in arrear.

DRAYCOTE. 3^{s}. All well.

OARE. 3^{s}. John Lovele's ditch. John Cloue and John Brid's d^{o}.

MANYNGFORD. 6^{s}. Peter Botoner, Miller, fined.

NEWYNTON. 4^{s}. John Knyght, Miller, d^{o}. Woodbride bridge broken. Tithing to repair.

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[1] In All Cannings the copyholders used to pay (besides a small nominal yearly rent) "work-silver 2*s*. 2*d*.," "Certain money 17*d*.," and "*Sheriff's Eve* 3*d*."

Hulcote. 8s. 8d. All well.
Bychyngstoke. 5s. All well.
Rusteshalle. 5s. John Silk, miller, fined. Highway at Northbridge. Tithing to repair.
Charlton. 6s. 8d. John Torner, Miller. Philip Manyng, butcher. sells bad meat.

The xii jurymen, viz., John Stampford and his fellows confirm all the aforesaid presentments. And present that the King's highway near Chirton was flooded, through fault of Cherington tithing. Ordered, &c.

KYNGBRIDGE.

The Sheriff's Turn held there Thursday after the Feast of Saints Tibertius & Valerian xvii Henry 6.

The Tithing of

Wambergh, came. Paid *nil*: and says he is not bound to be on the Jury, nor make presentments against himself. Claims assize of bread and beer.
Crofton, came: pays for this day, *nil*: for Michaelmas, 2s. Ought not to be sworn nor to present: and claims as the last.
Wekeliscote, came. 5s. 4d. All well.
Helmerton, do. 2s. All well.
Ludyngton, came. 4s. 6d. Thos. Darull, and John Jewr', millers, fined. Highway at Morelane, to be repaired by the whole Tithing.
Medburn. 4s. 6d. Highway called Ikelislane, to be repd. by Tithing.
Esthrop, came. 6s. All well.
Hodeston came 7s. Do.
Westhorp. Do. 6s. Nothing to present.
Over Wroughton. Do. 4s. All well.
Beneknolle. Do. 8s. Thos. Frankleyn, miller, fined.
Saltharp. Do. 2s. Basset-*clos* highway to be repd.
Cleveansy. Do. 3s. All well.
Lydeard Tregos. Do. 2s. "Bornbridge lane," the King's highway, out of order owing to the Rector Walter Eliot's ditch.—He is in mercy. Highway at Mershweyets and Chikemedes ende, out of order owing to ditches of Rob. Grene and Walter Salter. Wm. Webbe sworn to assize.
Cleve Pepard. 2s. 10d. John Roger, miller, fined.
Wydecombe. 2s. 3d. Wm. Wydecombe's ditch.
Tokkenham. 2s. 6d. Hulle lane. Walter Spencer's ditch.
Brodetonne. Made no payment.

xii Jurymen. Willm. Shirley, and his fellows, &c.

CADWORTH.

Sheriff's Turn held at Wilton Tuesday after the Feast of St Tiburtius, &c

The Tithing of

Sutton came in full. Pays to the King at this day 6s. 8d. All well.
Fovent. 8s. 8d. Thomas of Devyse, miller, fined. The Tithing fined for not

presenting beer measure. Walter Smyth sells beer by cups, &c., not sealed. King's way called the Shoteshute near Fovent under water.

HURDECOTE. 3s, 4d. John Purchas in default. Highway called Bellepole under water, through fault of Wm. Necke, Rector there, [*i.e.*, R. of Baverstock.]

BEREFORD. 4s. 2d. Highway at Whitecroft. John Kevell's ditch. John Haytor's dung heap encroaches on the highway—fine. The said John harbours whores and talebearers day and night [sustentat meretrices et garolatrices tam per diem quam per noctem ad commune nocumentum vicinorum] to the common nuisance of the neighbourhood. So does Thos. Derham. To be attached in person for their transgressions. The Mershway at west end of Berford, to be repaired.

BRYTCOMBE. 2s. Walter Tettebury, miller, fined.

NETHERHAMPTON. 2s. Stephen Dancey in default.

xii Jurymen, viz., Wm. Launcevale and his fellows, &c.

CHALKE.

Sheriff's Turn held at Housthornys, Tuesday in Easter week 17 Henry VI.

The Tithing of

SEMELEY. 5s. John Nedele, John Redehede, in default. Highway at Clement hys lane, injured by J. Clement's ditch. The path by Horse Leaze "*per legas equestr*") injured by John Whytemersh's ditch. Thos. Pyle neglects his ditches; Uffurlong hys lane, otherwise called Huse-lane, is injured thereby.

BEREWYKE. 6s. 8d. All well.

ALVESTON. 4s. 6d. John Schypeston in default.

EBLESBORN. 6s. 8d. All well.

FIFFIDE paid *nil*. Francis Gartener, ale-measures false, and not sealed.

BRODECHALKE. 6s. 8d. John Gille, Miller, fined for over-toll.

BOWRECHALKE. 6s. 8d.

KNYGHTON. 5s. John Milward, miller, fined for do.

STOKE VERDON. 5s. John Jegill, miller, fined.

xii Jurymen, vizt. Robert Saleman, and his fellows, &c.

DONEWORTH.

The Sheriff's Turn held at Staple, Thursday in Easter week xvii Hen. 6.

The Tithing of

SWALCLIFF. 3s. 4d. Simon Milward, miller, in default.

SEGILL [Sedgehill]. 4s. Thos. Moleynys in mercy.

HACCHE. 6s. 7d. Nicholas Scamell, miller, fined. Henry Staunley has not repaired the watercourse at le Hawes. Ordered, &c.

CHIKELADE. 3s. All well.

BERWYKE. 4s. Do.

FONTELL. 8s. 9d. Do.

RIGGE. 2s. Do.
CHILMARKE. 2s. John Tailour, miller, fined for over toll.
CHIKESTROVE [Chicksgrove]. 8s. All well.
TEFFONT. 3s. 4d. Do.
TISSEBURY, 7s. Nicholas Nekke in default. The "Polewey," King's highway to be repaired by the Tithing.
STAPULL. 8s. Richard Alisaundre and John Stephenes, millers, fined.
xii Jurymen, vizt. Richd. Alisaundre, and his fellows, &c. Further they present Nicholas Nedel a nightwalker and disturber of the peace.

WERMESTER.

The Sheriff's Turn held at Ilegh on Friday in Easter week xvii Henry 6.

The Tithing of

SUTTON PARVA, came. 3s. All well.
SUTTON MAGNA, do. 6s. 8d. Do.
WERMESTER, came. 2s. Robert Carpenter, Miller, fined. Thos. Bulbroke, Wm. Bugwell, their bread contrary to the statute. John Shissheley, Wm. Nedecomb, sell hay and oats at unlawful profit. Richard Fort, Geo. Byngle, fraudulent in selling beer. Thos. Hancocks, ale measures wrong.
UPTON. 3s. All well.
DONYNGTON, [Dinton] came. 6s. 8d. Thos. Shumer, Wm. Atteyate, in default. The latter, further fined for over-toll.
TEFFONT, ought to have come and paid 6s. 8d., but neither came nor brought it: so he is in mercy; but he afterwards brought it.
FISHERTON AND BABETON, paid *nil*. Richard Jay, miller, fined.
PERTEWORTH. 2s. All well.
BISHOPSTROWE, paid *nil*.
NORTON. 5s. Nicholas Stevens, miller, fined.
xii Jurymen, vizt. John Cutting and his fellows, &c. They further present that the Tithing of Wermester presents Geo. Byngle unjustly.

BRENCH & DOLL.

The Sheriff's Turn held at Wirdescliff, Monday after the Feast of Sts. Tiburtius & Valerian 17° Hen. VI.

The Tithing of

GORE Did not come, nor any of the Tithing, nor pay 5s. 6d. The bailiff of the Hundred to distrain the Tithingman and Tithing, and to carry ["cariare"] him to the King's castle at Sarum and there keep safe till he has satisfied our Lord the King.
TIDELSIDE. 5s. 6d. Alice Smythys against the peace of our Lord the King, forcibly entered the house of Thos. Barnabee at Tidelsyde.
ORCHESTON. 4s. John Fairhere, Wm. Gawayne, Walter Oram alias Hayward, in default.
CLIFTON. 6s. All well.

MADYNGTON. 3s. 4d. Philip Atte Stone in default.
ABBOTESTON. 3s. 4d. All well.
ASSERTON. 3s. Do.
SHARNTON. 7s. 9d. Stephen Salf's ale measures wrong. John Ghue (?) miller, fined, Little Langford highway: the whole Tithing ought to mend, but has not mended.
WILY, has paid *nil.* Edw. Felawe miller, fined. Highway at "le Marshe".
STAPUL-LANGEFORD. 8s. 8d. John Clark in default. The same, and Nicholas Baker use false ale-measures.
WICCHEFORD. 12d. All well.
NEWETON. 2s. John Kyngman, miller, fined, Robert Boley's ale-measures false. Quydhampton Highway not repaired as it shd. be, by the whole Tithing.
BYMERTON. 6s. 8d. John Jerveys, and John Makerell in arrear, also Rob. Calysshe
BRUDECOMBE. 7s. Wm. Russell, John Bauchyn, John Paperay, Edw. Fletcher, Thos. Alabre, and Wm. Ballard, in default. Lettice, wife of Godefelowe is a common brawler: ordered to be arrested. Joan, wife of John Wattys is a common thief. ["latruncula"] The same order. The King's highway towards Wilton ought to be repaired by the "formann of Fisherton Aucher and his formanria." Ditchampton highway to be repaired by the whole Tithing.

The xii Jurymen, vizt. Wm. Bote and his fellows, &c. Further present the King's highway opposite St. Giles's ought to be mended by the Tithing of Newton.

HEIGHTESBURY.

The Sheriff's Turn held at Iligh, Friday in Easter week 17 Henry VI

The Tithing of

IMMERE paid 5s. All well.
ORCHESTON. 3d. Do.
ASHETON. 6s. 8d. Thos. Marchaunt, miller, fined.
BATHAMPTON. 5s. John Kyng, do.
CODEFORD. 8s. All well.
UBETON [Upton Lovell], paid *nil.* Wm. Reynolds, miller, fined.
HORNYNGESHAM, paid *nil.* Thomas Carpenter, miller, do.
BOYTON brought no money. All well.
BALECLYFF fined for not coming, owes 5s.

The xii Jurymen vizt. Wm. Burton and his fellows, &c. Further present that the men of Tuderyngton have made a "marling putt" close to the highway called Dylpitts. Ordered, &c.

WHER. [*Wherwellsdown.*]

The Sheriff's Turn held there on Saturday in Easter week 17 Henry VI.

The Tithing of

TIDELSIDE. 19⅕d. All well.

Coulston. 3s. 3d. John Chaundeler, and John Dregge, in default.
Tynhede. Two Tithingmen. 6s. 6d. John Danyell, Junr. and Senr., Roger Pile, Robert Sawye, Richd. Drouner, Richard Gay, John Perys, John Blaneford, in default.
Edyngdon. Two Tithingmen. 5s. 6d. Geo. Milward, miller, fined for over-toll.
Suthwyke. Two Tithingmen. 6s. 6d. Walter Bocher, "carnifex," sells bad meat.
Bradley. 15d. Wm. George, miller, fined.
Litelton. 3s. 3. Cristina Passion, miller, fined.
Semelton. 3s. 3d. All well.
Henton. 3s. 3d. Do.
Kevelegh. 2s. 5d. John Thorner, miller, fined.
Stepul Assheton. Two Tithingmen. 6s. 6d. Wm. Mussell, butcher, fined: Nicholas Gome, John Gey, millers, do.
West Assheton. 3s. 3d. All well.
The xii Jurymen, vizt. John Gore and his fellows, &c. Further present that the King's highway at "le Swele" is repairable by Edyngton tithing. Ordered, &c.

WESTBURY.

The Sheriff's Turn held there Saturday next before the Feast of Saints Tiburtius and Valerian 17 Henry VI.

The Tithing of
Westbury. 5s. 8d. Wm. Say, miller, John Gibbes, do. fined, for over-toll. The whole Tithing at the mercy of the Court for not bringing its measures. Richard Wyse to take the assize of bread, &c.
Bratton. 4s. Thomas Wagay, Thomas Robyns, Thos. Forme and Thos. Gybbes, in default. John Andrews, John Jeffreys, millers, fined for over-toll. Richard Sweetappul, brewer, fined. The same Richard fined again for selling beer in unsealed measures.
Lyegh. 4s. John Clifford, Rd. Dirham, miller, fined. Also the Tithing, for not bringing its measures.
The xii freemen on the Jury, viz., John Bryt, John Wardour, John Carter, Wm. Janys, Wm. Aldrich, John Redys, Edw. Janys, Ricd. Sweetappul, Wm. Caustell, Wm. Marys, John Vyde, Junr., John Symbole, &c.

MALMSBURY.

The Sheriff's Turn held at Coufold,[1] Friday after the Feast of Saints Tiburtius & Valerian 17 Hen. VI.

The Tithing of
Somerford. 8s. 2d. Robert Felice, miller, fined for over-toll John

[1] "Coufold." This was Cowfold Park, near Malmesbury, formerly a grange of the Abbot of Malmesbury. The name was afterwards corrupted to Cold Park, and now Cole Park: belonging to the Lovell family.

Bowkelond, against the King's peace, drew blood from Thomas Hilbard with a cudgel worth 1d. The footbridge called Odebridge is broken, through fault of Ralph ———. All fined.

Draycote Cerne paid 3s. Wm. Coke, miller, fined.

Foxley. 3s. All well.

Stawton [Stanton St. Quintin]. 8s. All well.

"*Hungford's*" Assheley. No appearance. Fined: also fined for not bringing 6s. 8d.

Hullavington. 8s. 4d. All well.

Segre. 3s. 10d. Thomas Sely, miller, fined.

Eston [Easton Percy]. 2s. 6d. All well.

The xii Jurymen present, That John Phelyps has not scoured his ditch, whereby the King's highway at Sterkele is overflowed. Ordered to amend it.

FRUST. [*i.e. Frustfield.*]

The Sheriff's Turn held there Thursday before the Feast of the Apostles Philip & James 17 Hen. VI.

The Tithing of

Abboteston. 6s. 6d. All well.

Aldreston. 3s. 6d. John Francowe and Robert Gelle, fined for selling beer in unsealed measures.

Coulesfeld Sturmy. 6s. 2d. The King's highway at Lockeshall out of order through fault of the Tithingman and the whole Tithing.

Coulesfeld Loveras 4s. 3d. All well. But fined for not bringing the "Sheriff's Aid," as they should have done.

Coulesfeld Spilman. 1s. 5d. All well.

Laneford. 4s. 8d. John Pykewell, John Coke in default. John Attemull, miller, fined. King's way called Gony, [or Eony,] under water, through fault of the ditches on both sides: John Attewode and Peter Mershman ought to scour them. Ordered to be done. Thomas Wykat in default.

The xii jurymen, vizt. John Kyngeswode and his fellows, &c.

CHIPPENHAM.

The Sheriff's Turn held there Saturday after the Feast of Sts Tibertius & Valerian 17 Henry VI.

The Tithing of

Sherston 17d. Wm. Tresham, miller, fined. Rob. Heart in arrear.

Lokyngton. 2s. John Prymme in default.

Aldryngton. 3s. All well.

Cerendon [*Surrenden*]. 3s. All well.

Wroxhale. 3s. Wm. Atte Mulle, miller, fined: John Goldyng, do. do. Wm. Chilthe, sworn to assize.

Boxe. 20d. Wm. Pycot, miller, fined.

Hertham. 17d. All well.

Lakham. 3s. John Tocker, and Walter Scott, millers, fined. Thos. Brown in default. Richard Mason, Henry Smith, Robert Webb, dº.

Tyderington Lucas. 2s. All well. But afterwards presents that John Videlew's ditch not being cleaned, the highway is under water. John Mordon, to assize.

Langley [*Burrell*]. 2s. 6d. All well.

Oadenham. 1s. 9d. All well.

Harden-hewys. 1s. 6d. All well.

Yatton [*Keynell*]. 2s. All well.

Lye [*Leigh Delamere*]. 4s. All well. But afterwards presents Walter Hunt and John Bylewyn in default. In mercy of the Court.

The xii Jurymen, Edw. Paternoster and his fellows, &c.

BRADFORD.

The Sheriff's Turn held at Lye, Monday next before the Feast of St. George 17 Hen. VI.

The Tithing of

Bradford. 5s. 6d. John ———, miller, fined. Thos. Fox and Robert Shyrewhyt, bakers, short of weight. John Burton, innkeeper ("ostelarius"), Alice Boucher, fined for meat and bread. Isabel Fre is a common thief. To be arrested.

Wynnesley. 5s. 6d. Wm. Touker, miller, fined.

Wroxhale. 2s. 10½d. All well.

Atteward. 2s. 10½d. All well. But Thos. Wikes in default.

Holte. 2s. 10½d. All well.

Troll. 2s. 9½d. All well.

Chaldefeld. 2s. 10½d. John Dedemull, miller, fined.

Lye. 2s. 10½d. All well

Broughton. Pays nothing this day, and ought not to be sworn nor present and claims assize.

Comerwell. Same as last.

Westwode and Rowghley. 2s. 9d. Wm. Sewy, miller, fined.

CAUDON.

The Sheriff's Turn held there on Tuesday called Hokk, 17. Hen. VI.

The Tithing of

Langeford. 2s. Walter Lovell, miller, fined.

Odestoke. 2s. R. Gerell, miller, dº.

Homyngton. 12d. All well.

Britford. The *Hidarii* came: present that they owe no "certain silver." Stephen, servant of Hugh Hurmanden of Durneford in default.

Est Harnham. The *Forman*: nothing paid. Wm. Gibbys, Thos. Gale fined for breaking assize of bread, and selling beer in unstamped measures.

The xii Jurymen, Henry Brys and Wm. Keyser.

Affur. John Swelwell, John Baker } Jur'.

Records of the Rising in the West,

JOHN PENRUDDOCK, HUGH GROVE, ET SOCII, A.D. 1655.

By W. W. Ravenhill, Esq.

Read before the Society during the annual meeting at Wilton September 14th, 1870.

The visit of the Wiltshire Archæological Society to Compton Chamberlayne in the autumn of 1870, seemed a fitting opportunity for collecting the memorials that remain to us of the Rising in the West, A.D. 1655, with which John Penruddock, and Hugh Grove and others are so mournfully but honourably connected.

In carrying out this purpose I have endeavoured not to trench upon the designs of histories already published, but rather to gather a narrative, and collect what remains to us of this one matter, largely drawing from the Thomason Pamphlets presented by King George the Third to the British Museum, from family documents most kindly placed at my disposal, by Charles Penruddock Esquire of Compton Park, and Miss Grove of Zeals House, the lineal descendants of our heroes, and in a much less degree, but still I believe as far as possible, from the documents preserved in Her Majesty's Record Office.[1]

The chief events of the rising, from its troubled birth to its early dissolution are related by Lord Clarendon, Echard, Heath, Ludlow, Whitelocke, Oldmixon and Rapin, the last of whom hazards the statement, founded perhaps solely on "Tre, Pol, Pen," that Penruddock was a Cornish gentleman, which we shall presently see is quite erroneous. But the most valuable contribution to the literature of that period was made, when the state papers collected by John Thurloe, Cromwell's secretary, were given to the world in A.D. 1742 by Lord Chancellor Hardwicke.

After that in A.D. 1751 followed the cold but thoughtful account of William Guthrie of Brechin.

[1] That I have compassed all existing materials in so large a field I can scarcely hope. I shall therefore be obliged to any of the readers of this Magazine for any further information.

Our county histories, and who so rich as we, give scattered notices, or more considered portions of the story; but the matter appears never to have been treated in all its entirety. With regard to the trials which followed at Exeter, much seemed worth investigating. The only account of any of them that I can discover, and which has been admitted amongst the recognised collections of the State Trials is "The trial of the Honourable Colonel John Penruddock, written by himself." This though penned at a very solemn moment, with all the accurateness, of which his highly religious mind was capable, can scarcely be accepted by the antiquarian, or historian, or lawyer, as conclusive evidence of all that then happened even to him; and he never so intended, as is clear from the postscript to it. An examination of the Thurloe Papers and the law of the land as it existed for those who chose to live under the Protector's government, suggests that Penruddock and his fellows were not the martyrs that the book called "England's Black Tribunal," would have us believe.

Further points in the history of the rising courted inquiry, notably the adventures related concerning William Wake, of Blandford, and Robert Duke a relation of the Dukes of Lake—both prisoners at Exeter, and tried at the same assize as Penruddock—wherever the narrative will permit, specially as to facts or documents unpublished, or not generally accessible, I shall give the very language of the sources of information.

From most of our general historians, the rising and its leaders have received little if any attention. But it will be found to contain much that is stirring and picturesque, a page of our county history of no little interest, an interest which principally concentrates itself upon the fates of Penruddock and Grove.

A few words on the origin and families of both. The Groves migrated to Wiltshire from Buckinghamshire about the middle of the fifteenth century.[1] A century later they were in possession of considerable estates at Shaftesbury, Donhead, and Ferne. The present member for South Wilts, who so hospitably entertained the Society on their visit in 1870, is the representative of this branch

[1] Hoare's Mod. Wilts, Hund. Dunworth, 56—58, et pass'.

of the family. Another branch some time prior to A.D. 1650, settled at Chisenbury Priors in the parish of Enford, Wilts. There they possessed land both freehold and leasehold, the latter held under the famous Hospital of Saint Katherine, which many years since left the environs of the Tower of London, for the Regent's Park. Well-to-do country gentlemen they obtained leases where the freehold still lay in the mortuâ manu of the hospital. From them sprung Hugh Grove, a man in his prime in 1655. Married to his cousin Jane Grove of Shaftesbury, he was living a quiet country life, perchance initiating his son in agriculture or in the science of coursing hares on the neighbouring downs, when his mother did not claim him for his books. What part Hugh Grove took in the civil wars, where, before that, he had been schooled, and other facts of his life up to that time, are lost; enough that he lives to us in the history of the Rising, as a soldier frank and pleasant, fond of his King and Country.

His more distinguished companion John Penruddock, was born in 1619, probably at his father's house at Compton Chamberlayne.

The Penruddocks first appear in history in the reign of Edward the second, as residents at Penruddock, a small township of the Manor of Greystoke, in Cumberland. We find one then serving on a Jury in that neighbourhood. In course of time they spread southwards to Wiltshire and other counties. When the head of the house who remained behind, received from Queen Elizabeth the Manor of Arkelby, in Cumberland, on the attainder of Roger de Martindale for joining the unhappy Mary Queen of Scotts, he was merely following the steps of his more fortunate relatives, who in the South by Royal favour, or prosperous marriages, or their own industry had acquired large estates. One of them Sir George Penruddock highly distinguished himself at the Battle of St. Quentin, in 1557, as standard bearer, to William Earl of Pembroke, the Commander in Chief of the British army.

The Compton estate was purchased by Edward Penruddock, Esq., of New Sarum, afterwards Sir Edward Penruddock, at the close of the sixteenth century.[1] In 1612, on his death, it descended

[1] Hoare's Mod. Wilts, Hund. Dunw.

to his son, John Penruddock, the Father of our hero. In the fields and woods thereabouts, the latter threw out thew and sinew not without cultivation of mind, till he was sent to Blandford school.[1] To the same place some years later, went John Aubrey the Wiltshire historian. At the close of his school career, Penruddock passed on to Queen's College, Oxford;[2] after that to Gray's Inn, to study law. This society admitted him May 14th, 1636.[3] Anthony Wood[4] says "that at school and college he delighted in books, when a man in arms." In 1639, he married Arundel daughter of Mr. John Freke, of Ewerne's Courtenay and Melcombe in the county of Dorset, a lady of great mental and personal accomplishments. Their union was blessed in their children, and in their mutual love most strong in trouble and in death. In 1648, on his father's demise, Penruddock succeeded to the family estates. At Christmas in that year and till the sixth of January following, he was with John Aubrey, the guest of Lord Francis Seymour at Marlborough; there was hunting, coursing, plenty of good cheer and for Aubrey the safe study, Archæology.[5]

During the wars the Penruddocks lost many relations and friends. The death of Henry Penruddock, a younger brother of John, has been already narrated in this Magazine.[6] Other troubles to other members of the family will be found in Ludlow's memoirs.[7] They suffered also severe pecuniary losses. In addition to the expenditure for men and horses and arms, the Commissioners for Sequestration —those locusts who came up to consume what the hail had left—

[1] Payne Fisher.

[2] John Milton of Christ's Coll., Camb., M.A., ad eund. 1635; Edm. Ludlow, B.A., Trin. Coll. Ox., 1636.

[3] Grays Inn Books.

[4] Fasti, 46.

[5] Canon Jackson's Aubrey.

[6] Wilts Arch. Mag., December, 1855, p. 397. There is another Henry Penruddock to be found in the history of those days, who was a six clerk in Chancery. He was an agent for Charles II. in England, and is mentioned by Whitelocke (Memorials) as being confined in the Tower (1649). He was an uncle of John Penruddock's. See also 3 Thurloe 459, where he is called by Manning, "the king's prime agent."

[7] Ludlow, vol., i.

visited Compton. I find amongst the Domestic State papers of that period, the following certificate which tells its own tale :—

"Upon search made into the Books and papers relating to Sequestrations and Compositions in my custody as Registrar to the Commissioners for compounding and managing Estates under sequestration I find that John Penruddock of Compton in the County of Wilts Esquire compounded for his delinquency and the estate mentioned in the report hereunto annexed and by me attested for which he had a fine of one thousand pounds set, which said fine was all paid into the Treasury at Goldsmith's Hall by the 6th of June, 1649.

Examined May 1657." *

I have not been able to discover the report alluded to in the above certificate. The "me" is Mr. F. Bailey, who was the registrar of the certificates.

In a family account book there are the following entries in Colonel Penruddock's own handwriting :—

	£	s.	d.
Paid for my Composition	1300	00	00
My own debts contracted during Six years sequestratation	1500	00	00

There were some dealings too between the Commissioners and Hugh Grove, for Sir R. Hoare[1] mentions a grant made by them to John Dove, Esquire, of New Sarum, the Protector's High Sheriff for Wilts, bearing date September 28th, 1650, of the reversion in fee of the Chisenbury priory estate, and in that it is said to belong to Hugh Grove the elder, the father of "our Hugh," under a lease dated September 15th, 1640, granted to him for the lives of his two sons Hugh and Robert, and his grandson Hugh, the son of Hugh the younger. The property at this day still belongs to the Grove family.

It is clear from the above statements, that Penruddock if not Grove, fought for the *crown*.

I pass over here as beyond my present purpose, all events that led to the death of the King, which happened a few weeks after the pleasant hospitalities of Lord Francis Seymour—I pass over the steps by which General Cromwell became Lord Protector of this realm—as also the session of Parliament which assembled on "His

* State Papers, Domestic Series. Interregnum. Commissioners for compounding with Delinquents. No. 323.

[1] Modern Wilts, Hund. Elstub and Everley, 17.

Highness's own day," (September 3rd, 1654,) and sat till it was dismissed with scolding on the 22nd of January following. The Protector then told them that he had certain information that the Levellers and Cavaliers were plotting against himself and government, and his information, being derived from the best authorities, amongst others a spy at the King's elbow, proved correct. There was coquetting between these two very different parties.[1] It is therefore not surprising that John Wildman, the most rampant of Levellers, was arrested at Easton near Marlborough, about the time the latter place was intended to be attacked by the Wiltshire Cavaliers.[2] He was sent to Chepstow Castle, and afterwards brought up to the Tower of London. Overton and others, including Eyres[3] had been secured some weeks before, and Saxty had escaped abroad. The Levellers ranted, plotted, and were crushed, without the Cavaliers striking a single blow. But though these last were troubled, they were not utterly cast down, and a general rising throughout England was arranged.

I have been able to find no direct written communication from the King—who now left Cologne where he had been residing for Middleburg, just opposite the East Coast of England—to the Wiltshire Cavaliers. Richard Pyle was the chief agent for these parts; there was also a Mr. Kitson, and most important too were the services of Lady Phillips (Phelips of Montacute?) The clergy, Dr. Henchman, of Salisbury, the Marquis of Hertford's chaplain, and others, also acted in this capacity. Wilmot, Earl of Rochester, passed disguised into England on one of the most adventurous of all his travels, and set his face for Yorkshire. Others had gone to other parts of the country, to stir up the Royalists, and it was thought that many of the Army would join, bitterly disappointed as they were in Cromwell, for taking so much power to himself. To

[1] See Francis Jones's Statement *infra*.

[2] Wildman's manifesto (which many authorities say he was interrupted in writing) is given at length by Whitelocke.

[3] Eyres was secured in Dublin, Jan. 26th, 1655. He found London too hot for him, and fled to Ireland perhaps to join Ludlow. Mr. Waylen has given an account of his former mutiny in Wilts; this was the reason of his arrest. 3 Th., 124.

the West was sent Sir Joseph Wagstaffe, a jolly boon companion, very popular amongst his own party, a man bold and courageous, but without the qualifications necessary to make him a great general. The readers of Lord Clarendon will recollect him, as doing good service in the West during the three sad years of bloodshed.

With regard to the propriety of rising just then the friends of the King were by no means united in opinion.[1] His special agents in this Country "The Sealed Knot" were against it, as also many of the leading Cavaliers in various parts. And certainly he himself did not take a very hopeful view of matters, as his letters written about this time clearly shew. The day for action, after a rising had been determined upon, was moreover involved in doubt and confusion, at least to the King and those immediately about him. Lord Clarendon tells us the 18th of April, but long ere this the whole affair, precipitated by the Lord Protector, had crumbled to pieces; and some of those who had joined, were already tried, and left for execution. There was certainly an understanding for a rising at Taunton, to secure that and other places; and in Wiltshire to attack Marlborough, about the 12th or 14th of Feburary, 1655, but owing to the vigilance of the commandants of the various garrisons, notably Colonel Boteler of Marlborough, it came to nothing.[2] After that there were meetings of the Cavaliers at Salisbury, and Compton, and elsewhere; foxhunting, now that horseracing was prohibited, afforded a legitimate object.[3] Sir Joseph Wagstaffe arrived, men, arms, and horses were collected, and March the 12th following was fixed as the trysting day. Alas! one most disatrous in Cavalier annals, for ten years before, it had witnessed the overthrow of Sir James Long and his 400, in the fields and lanes of Melksham.

On Sunday the 11th, they met in Clarendon Park about 60 strong; there Mr. Mompesson joined them with 40 men. Thence they

[1] 3 Clarendon State Papers, 266.

[2] See tipsy Jack Stradling's statement, which caused the arrest of Francis Wyndham and others. 3 Th., 172 & 181. Also letter of information, Feb. 11th, 1955. 3 Th., 148.

[3] Horseracing was prohibited by Orders in Council, Feb. 26th, 1655. See Order Book in Record Office. Foxhunting took place the week before the rising at West Knoyle and Ludgershall. 3 Th., 630 & 640.

marched to Blandford, where they enlisted 80 more. Thence they returned towards Salisbury.[1] Having waited some time for their friends from Hampshire, of whom few (among them two of the Duke family,) came, they feared to wait any longer, and so at the early dawn of the following morning, whilst it was yet dark, to the number of about 200, led by Sir Joseph Wagstaffe, Colonels Penruddock, Grove and Jones, they entered Salisbury. They posted a good force on the Market Place, and forthwith seized all the horses in the town, at the same time putting guards on the various hostelries. Then they broke open the gaol, and found willing recruits. After that they apprehended in their beds, the Judges of Assize, the Lord Chief Justice Rolle, and Mr. Baron Nicholas,[2] and the High Sheriff of Wilts, Mr. John Dove, who were assembled in that city for the Spring Assizes.[3] Having brought both Judges and Sheriff out of doors, Wagstaffe ordered them to be hanged. Penruddock with the feelings of a Hallam[4] protested against this step, and induced the party to allow the Judges to go free, shorn of their Commissions, telling them to remember to whom they owed their lives, whilst the High Sheriff—one of the King's Judges—was reserved as a very sufficient hostage. The latter narrowly escaped death, for he refused, though weeping, in all humility, to proclaim Charles the Second, but it was thought some better man might be exchanged for him, so his life was spared, literally as a prey. There is a paragraph about him in the newspaper called "*The Perfect Proceedings,* March 15th to 22nd, 1655."[5]

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[1] See Collin's Sir Joseph Wagstaffe's servant's statement infra.

[2] An ancestor of the present Recorder of Wilton.

[3] It is curious to find the following in Rolle's Abridgement, vol. ii, p. 97:—"Justices Itinerants. Henry de Braibrock un justice itinerant esteant surprise en temps Henry III. per Falcasius et Imprison pur ceo que 30 Verdicts avoint passe vers luy. Per l'assent de Parliament le Roy vae enperson ode le clergie and Laietie al seige del lieu and luy deliver accordant. Speed 513.

[4] Hallam's Constitutional History.

[5] Throughout this paper, wherever possible, I give the modern dates to avoid confusion. Here, 1655, not 1654. For what occurred at Salisbury Lord Clarendon is the best guide, as he no doubt received his information from the lips of Sir Joseph Wagstaffe. It will not be forgotten that these are but newspapers, and rank not in the same file with records, family or state papers.

"Colonel Penruddock pretended great friendship for the Sheriffe, and sent him a horse and man to wait upon him and sent word hee should dine with him that Monday. Observe, the last words hee made good."

At the Market Place, according to another paper "*The Faithful Scout,*" March 16th, 1655.

"Colonel Penruddock by way of making a speech addressed himself to Lord Rolles, assuring him that Major-General Wagstaffe, Commander in Chief had given orders that they should receive no harm to their own persons, and then proclaimed King Charles saying the Duke of York was coming from France with 10,000 men,"

or, according to another account,[1]

"that Lord Fairfax had 8000 and Sir William Waller 4000 in London, ready to join them, and there was to be a rising in every county."

The good people of Salisbury who it had been thought would join them at once, joined them not. Cautiously they stayed within doors, except where compelled to come out, peeping at the disruption of order, and fearful perchance that a little active indiscretion on their part might reduce their city to ashes. The Parliamentary if not the Protector's party were in the ascendant amongst them. They wished for better days, and the absence of forced loans, and other discomforts of the late King's government. I gather from their corporation books, that the corporation business at any rate was in abeyance at this time. On the 19th of February they met and gave Colonel Dove a rundlet of sack, and transacted other matters. During the last days of that month the feeling that troubles were impending increased. They had adjourned to the 5th of March following. On meeting that day the only business transacted was adjournment to the 2nd of April. Before this the rising was over, but complete calm had not come to them April 2nd.

"The Councell met and adjourned to y^e^ 27th day of this instant April at 9 of y^e^ Clock in y^e^ forenoone, and warning to be given thereof by y^e^ officers three daies before." *

There is no mention of the Corporation having anything to do with the rising.

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[1] *Perfect Proceedings*, March 15th to 22nd, 1655.

* Ledger D., Salisbury Corporation Books.

But to return, here is another account of what happened at Salisbury, newspaper also. *Weekly Intelligencer,* March 13th to 20th, 1655.

"The Judges came to Salisbury on Saturday last, being met by Mr. Dove the High Sheriff and his men, and that day divers of the Cavaliers came into the town, it being a time as they supposed of least suspicion. On the Lord's Day about midnight the Cavaliers rendezvoused and were about 200. Monday morning early they seized all the horses, seized on the Sheriff about 7 o'clock, would have forced him to proclaim Charles Stewart King, which he refusing they wounded him in several places, cut him over the face with a sword, knocked him over the head with a pistoll, yet he told them he would lose his life before he would do it, and though he offered them money and other offers, yet they took him away. After they had abused the Judges they took ther paroll; let out the prisoners, some for debt (as Mr. Gohin, who was in for £1000, and others), and all the theeves and malefactors with their irons upon them, mounted those that would joyn with them, and went out (after they had proclaimed Charles Stewart King,) being about 300."

It is pleasant to read afterwards that the High Sheriff was only bruised and not wounded.

Few joining them in Salisbury, they determined to leave it and go westward as the morning wore on, knowing that the Protector's forces would be upon them as soon as possible, and feeling that somehow or other they must be reinforced. During their stay some of them attacked the Sheriff's house; but it was so ably defended by Major Henry Wansey, of Warminster, with 30 men, who answered them with small shot, that after half-an-hour's fighting they retired.[1] It is to be remembered to their credit, that they committed no acts of plunder, save in the matter of horses as already mentioned. Not even of the barristers' fees, so that Serjeant Maynard who walked the circuit lost nothing.[2]

The whole body passed out with the Sheriff in their custody through Downton to Blandford, "where," the papers say, "he was permitted to dress."

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[1] *Faithful Scout*, March 16th, and other papers. This name will be remembered as that of one of the authors of Hoare's Modern Wiltshire. Some of his descendants are still living at Warminster.

[2] Heath's Chronicle; *Perfect Proceedings*, March 15, 1655.

Of what happened there the newspaper called *the Perfect Proceedings,* (March 29th to April 6th,) gives the following particulars.

"Tuesday, April 3rd, His Highness the Lord Protector had information that when Wagstaffe was in Blandford in the West, Penruddock forced the Cryer to go to the Market Cross to proclaim Charles Stewart King, who made 'Ho Yes' four times, but still when Penruddock (who dictated to him) said Charles II. King, he the Cryer stopt, and said he could not say that word, and he was every time much beaten by them, and yet told them they might kill him, but he could not say that word, though they should call for faggots and burn him presently, his constancy and faithfulness is taken notice of."

From Blandford, they proceeded to Sherborne, where they stayed two hours. Thence they marched to Babylon Hill, the commanding height east of Yeovil, which they reached at 1 o'clock on Tuesday morning, and halting, kept the Sheriff on the ground till daylight. Then they entered Yeovil, where they quartered till 1 o'clock, Tuesday afternoon. On their leaving that place the High Sheriff was allowed to depart, the idea that he could be exchanged for some better prisoner having by this time past away. By Wednesday morning they were at Collumpton in Devon, 10 miles from Exeter, then Tiverton was passed, and they pressed on to reach Cornwall, where they hoped to find many friends who would join them, and if they failed, escape by sea would be possible.[1] On reaching South Molton in North Devon at 7 o'clock that evening, utterly worn out, they determined to rest there for the night.[2] Quarters were soon found. To their weary limbs, however, there was but short repose. Three hours after their arrival they were attacked by Captain Unton Crook and his troop of horse, from the garrison of Exeter. Though their numbers were diminished by frequent desertions on their march to little more than 100, yet had they been prepared and fresh, they would have been more than a match for their enemies. As it was, many amongst them Sir Joseph Wagstaffe, fled in the darkness, the rest fought on for three or four hours, house after house was taken by the fresh and zealous Crook. Some surrendered

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[1] *Perfect Proceedings*, March 22nd, 1655.

[2] The distance from Salisbury to South Moulton viâ Blandford is about 110 miles.

on condition their lives should be spared. Who these were is uncertain. Penruddock and Grove both afterwards asserted they were amongst the number; but this Crook always denied, declaring the parol articles of surrender extended only to William Wake, two brothers named Collier, and two other inconsiderable men [1] who had held a house against him for four hours. It may be Crook prevaricated; it may be, and what more likely, that in the darkness and confusion, there was some misunderstanding. It must not be forgotten in judging him that Penruddock in the letter which he wrote to his wife shortly after, makes no direct mention of them. He can scarcely then have thought them of so much importance as he appears to have done at his trial. In all 60 or 70 were arrested, Penruddock and Grove, his cousin, Edward Penruddock, Jones, and others.

What a night of horrors must that have been to the quiet souls of South Molton! Ere it had passed, Crook wrote the following account of what happened to the Protector:—

"May it please Your Highness *

Yesterday morning, being Tuesday, I marched with my troop to Huninton (Honiton) being 15 miles eastward from Exon with intention to stop the enemy from coming further westward; but gaining intelligence that they were coming that way, and that they would be too strong for me, I made my retreat to Exon; the next morning I understood they were in their march for Cornwall; and in order thereunto, they were come to Collumpton, within 10 miles of Exon, I heard they were much tyred, and their number 200, and therefore imagined, that if they should gain Cornwal it might be prejudicial; I was resolved to hazard all that was dear to me, rather than let them have their end, and therefore marched towards Collumpton with only my own troop, I had no more for this service, but when I came near to that place, I understood they were then marched to Tiverton whither I pursued them with all speed, but there mist them also, but received information, that from thence they were gone to South Molton, twelve miles further, still in order for Cornwal; thither I resolved to follow them, they took up their quarters about seven of the clock this night, and by the good providence of God, directing and assisting me, I beat up their quarters about ten of the clock; they disputed it very much with

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[1] 3 Th., 281. No mention is ever made of written articles. There would be even then the further consideration of Crook's power to make them.

* "Letter to His Highness the Lord Protector from Captain Unton Crook signifying the totall Defeat of the Cavaliers in the West under the Command of Sir Joseph Wagstaffe. Published by His Highness special Commandment. London Printed by Henry Hills & John Field Printers to His Highness 1654 (5). Date written by Mr. Thomason upon it March 17th. King's Pamplets."

ne in the houses for more than two hours firing very hot out of the wiudows, hey shot seven or eight of my men but none I hope mortally wounded, they hot many of my horses also; but my Lord we broke open many houses, some of them yielded to mercy; I promised them, I would use my endeavours to ntercede for their lives, I have taken most of their horses, about fifty prisoners mongst whom are Penruddock, Jones and Grove, who commanded those horse ach of them having a troop. Wagstaffe I fear is escaped, he was with them ut at present I cannot find him, yet hope to catch him as soon as daylight ppears.* I will raise country to apprehend such stragglers, which for want f having dragoons narrowlie escaped me. My Lord, they are all broken and outed and I desire the Lord may have the glorie. I beseech your Highness to ardon this unpolished account, I can hardly indeed write, being so wearie with xtreme dutie but I hope by the next to send your Highness a more perfect one, nd a List of the prisoners, many of them I suppose being very considerable. olonel Shapcot of this County was pleased to march with me on this design, nd was with me at the beating up of their quarters and hath shewed himself vonderful ready, in every respect, to preserve the peace of this County. My ord, I remain

From South Molton
March 15th † 1654 (5)
bout two or three
'olock in the morning.

May it please your Highness
Your most obedient and most
Humble Servant
UNTON CROOK."

The Prisoners were removed to Exeter Gaol, and there placed in he custody of the Sheriff.

The same day Crook wrote again.

"May it please your Highness ‡

I gave your Highness last night an account how far I had pursued the nemy, that had come out of Wiltshire into Devon. I sent your Highness the umbers of them, which I conceived to be 200; It pleased my good God to trengthen and direct me, that although I had none but my own troop which was not 60 that about 10 o'clock at night I fell into their quarters at a town alled South Molton in the county of Devon; I took after 4 hours dispute with hem in the town, some 60 prisoners near 40 horses and arms—Wagstaff him-himself escaped, and I cannot yet find him, although I am still sending after him; this party of them was divided into 3 troops, Colonel Penruddock com-manded one of them and was to make it a regiment, Colonel Grove commanded nother and was to compleat it to a regiment, Colonel Jones the third and was

* This hope proved vain—Sir Joseph escaped to the coast and crossed to St. Malo, and lived to invent a famous gun for, as he hoped, the destruction of the Lord Protector, which hope also in due time vanished. 4 Th.

† This should be 16th.

‡ "A 2nd Letter to his Highness the Lord Protector from Captain Unton Crook signifying the totall defeat of the Cavaliers in the West under the command of Sir Joseph Wagstaffe. Published by H. Hills and John Field by his Highnesses special Commandment. Date written by Mr. Thomason March 20th. King's Pamplets." It is a fair surmise from this and the preceeding letter that Penruddock, Grove, and Jones, each had a Colonel's commission from King Charles II.

to do the like; these 3 gentlemen are of Wiltshire and men of estates. One of Sir Edward Clarke's sons was with them, he was to be major to Penruddock, the prisoners tell me that we killed him.* I have brought all the prisoners to Exon, and have delivered them over to the High Sheriffe who has put them into the High Goal. Your Highness may be confident this party is totally broken, there is not 4 in a company got away; the country surprise some of them hourly, the Mayor of South Molton being with me in the streets was shot in the body, but like to do well.

I have 9 or 10 of my troop wounded.

I remain

Your Highness'

Exon — Most obedient Servant,

March 16th, 1654 (5). — UNTON CROOKE."

The next day Penruddock wrote the following letter to his wife :—

"My dear Heart,

To tell you the story of my misfortunes were too large and would but add to your afflictions. All that I shall now tell you is that we were taken at South Molton in the farthest part of Devonshire. The best that I can make of this is that it was our fortune to fall into the hands of one Captain Unton Crooke,† a generous and valiant officer, one that I hope will show something the better, for that we did not basely desert our soldiers as others did. That which concerns you now is that you best give your help, and make what friends you can for me. My cousin Bowman, I know loves me; desire him as he tenders the life and fortune of his poor kinsman, that he would be active for me. The persons to whom you must address yourself are in the first place, his Highness my Lord Protector, to whom pray go yourself, and as many of your children as you think fit, and petition in my behalf. I am confidant my Lord Richard‡ and Mr. Mayor will countenance you herein. I would have my cousin Bowman to go to my Lord Chief Justice Rolle, and Lady Nicholas,§ and desire them to appeare for me, and shew me such favour as they may judge me capable of in their esteem. Mr. Dove the High Sheriff, Mr. Ing, and I am confident the whole town of Sarum, will petition on our behalf. Pray leave nothing unassayed that may tend to our preservation. If you come to Exeter you will be snre to find me in the gaol, whither if you think fit you may bring your daughter Jane, and George, and Tom. I cannot have less than a hundred pound to assist me in my necessaries here. If I live, I hope I shall redeem what I have lost; If I die, I have made my will—being but tenant for term of life my estate comes to your son and you. I have made over part for payment of my debts, and providing for my younger

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* This proved incorrect, he was afterwards arrested.

† Crook was a son of Serjeant Unton Crook. He was a man of education and position and in the suite of Whitelocke when the latter went as ambassador to the Court of Sweden.

‡ Lord Richard Cromwell. Mr. Mayor of Hursley, Hants, was his father-in-law.

§ The wife of Baron Nicholas.

hildren. Take all that and then pay the maker.* John herewith salutes all is friends, servants and acquaintance. Pray advise with my uncle Bowman, nd desire Mr. Martyn† to attend you in this business. My dear love, once more beseech thee, do not make myself and my poor children more unhappy by fflicting thyself for me. I have been used in the school of affliction; and have earned in what estate soever I am to be therewithall content. Give my friends vermore my unfeigned respects. Deliver my blessing to my poor children, econded with your own. To close up all, take my unfeigned love to yourself

rom Dear Heart

rom no worse place
the Exeter Gaol
his 17th day of March
1654 (5).

Your loving husband where'er he is
Jo. PENRUDDOCK."

The above is from the original in Colonel Penruddock's own handvriting, which is still preserved amongst the family papers at Compton.

Thus to its bitter end have I traced the rising, and now not staying to discuss the dissensions or conduct of its leaders, let us turn back upon its ill-omened course and see what steps were taken by the Government in London, or its friends in the country, to suppress it. And first of the latter as being nearer to the scene of action. News of what had happened, came probably on Monday night to that very faithful friend of His Highness, Colonel Boteler, stationed at Marlbrough. He was in the saddle early the next morning, and with his troopers hastened over the plain to Salisbury. He reached it some time that day. On the following, at 9, a.m., when on the point of starting for Shaftesbury, he wrote to the Protector, and to General Disbrowe, the latter of whom was advancing from London, to tell them of his movements. We smile over the "freely adventuring" himself in his letter to the former, as contrasted with his cautious postscript, and its happy fortune of finding a very probable opportunity to fall upon the enemy.

But the letter best portrays its writer.

"May it please Your Highnesse ‡

This morning Col Dove is come hether from the enemy upon his parole; he left them neere Evill (Yeovil), and saith, he thinks them to be above 300 in number. Now, my lord, though I know twould be of sadd consequence, if wee

*A word follows "maker" of which the first letter is blotted. It looks like "John is," or "Thomas."

† The Chaplain at Compton.

‡ 3 Th. 243.

assulting them should be worsted, yet, my Lord, I hope your highness will easily pardon me, being (seeing?) I shall freely adventure myselfe upon the good providence of the Lord, who I know will owne us ; and I am perswaded, succeed us in this business. And indeed, my Lord, I cannot with any confidence stay here, nor looke the Country in the face, and let them alone. I doubt not but to give your highness a speedy good account of this matter. I shall be this night at Shaftsberry, and then send to your highnesse againe. The Judges I have set at liberty here, and they were like men that dreamt to see us so sudainly here. I shall take care of their safe passage to London, whether they desire to come. Colonel Dove saies that Mack that Lieutenant Heely sent up, is come off but as a spye, and desires me to inform so much, I am, my Lord,

From Salisbury upon my march towards Shaftsberry, 14 March 9 a clock in the morning.

Your highness most dutifull servant W. Boteler.

If I heare any of our friends coming towards us, I shall delay falling upon them, unless I see a very probable opportunity."

And so Colonel Boteler went his way westwards and at Shaftesbury fell in with a messenger from Taunton bearing the following letter to Mr. Malyn, one of Cromwell's Secretaries. He opened and read it as appears by an endorsement. The letter gives a complete picture of a portion of the stage including some of the actors, and enables us more nearly to realize the whole affair.

"Much Honoured Sir[1]

I shall make bold to communicate unto you what hath lately happened in these partes—On tuesday last, about 2 o'clock in the morninge Capt. Pike post master of Crewkerne gave us an allarm at Ilminster, assureinge us that M. G. Wagstaffe, C Penruddock, and neer a thousand more of the late king s party, were inbodied at Sarum, where they tooke the judges and did much mischief, and where then come to Sherburne ; whereupon I hasted to this towne, where I mett Col Pine, Col Ceely, Sir Thomas Wroth, C Gorges, Major Sampson, C Barker and divers Gentlemen more, with a considerable Company of such as were formerly of the Militia ; and indeed, for ought I could discerne, they came with very cheerfull resolutions to engage their all against this upstart crew, and had the Lord seen it good our strength in reason had been more than sufficient to have accomplisht their utter downfall ; but I had not been long here, before I saw my hopes of their ruine quite frustrated, which I must very much impute to the unhandsome carriage of C Gorges towards Col Pyne and some others, refuseinge to joyne with Col Pyne in any thinge relating to this present business. C Gorge takeinge upon him the charge of the towne commissioned thereunto by the magistrates thereof (as he is pleased to say) whereupon arose this great inconvenience ; C Ceely with divers officers and soldiers to the number of 40 or thereabouts, being resolved to alarum the enemy, who then lay at Chard (or at least more perfectly to learne their number and condition) cominge to the

[1] 3 Th., 237.

outguard of the towne was denied passage by the guard they alleadging, that C Gorge hath soe given order, that none must passe without his license; whereupon we halted there about a quarter of an hour, and in the meantime sent to know of C Gorge what his meaninge was, who then gave a ticket for our passage which C Ceely took soe unkindly, he being the older Colonell, that he refused to march by the others leave; and by this meanes we were altogether disappointed of what in probability might have been easily effected; I meane the ruine of our enemies, who were not in number above 160, as I am since very certainly informed; and in a very tremblinge posture. Their horse are many of them very good, but the riders very ill accoutred for the most parte; yet notwithstanding these discouragements, their purpose is, to pursue tomorrow with what horse they can make, and if possible joyne with the Sheriffe of Devon (to whome they have wrytten to that purpose) that soe they may, being united, if not take them at least disperse them; which I heare they begin to do already. Truely, Sir, I am hartily sorry to see these divisions, that are amongst us; and truely though I cannot say that C Pyne and the others fully comply with the present government; yet I am verily perswaded, that they were very harty in this present worke; and I am sure have been formerly very good instruments for the secureing these partes, and for any publicue good; and therefore I cannot but be troubled, that C Gorge, a man but of yesterday, who hath not soe fully borne testimony against the cavaliers in former times, should soe much insult and greive the spirits of those gentlemen. I observed further yesterday, that C Gorge took some distaste at C Bovett, for that he, upon the alarum, entered the Castle of Taunton, and secured it with some of the Company that formerly served him in the Militia, and refused to turne out his men again, and deliver the possession thereof to C Gorges. Indeed, my opinion is, that what Lieutenant Col Bovett did was meerly for the preservation of the place, without any sinister end; and to my knowledge was exceeding forward to further any designe against the enemy, and to reconcile divisions here. But I must begg your pardon for this trouble; at present I shall not much inlarge, but desire, that if opportunity be offered, you will be pleased to acquaint my Lord herewith, which, with the tender of my reall and hearty respects to you, is all at this time from,

Sir your most obliged servant,

Taunton, March 14, 1654 (5) WILLIAM GOUGH.

The Superscription

For my much honoured friend William Malyn Esq^e^ Secretary to his highnes the Lord Protector these present at Whitehall.

The Endorsement

Sir, Being newly come to this towne with 4 troopes of our regiment, where Major General Disbrowe will meete tomorrow, I thought it necessary for your helping us with intellegence in our pursuance of the enemy, to open your letter. I have honestly sealed it up againe,

Your humble servant,

Shaftsberry March 15 1654 (5). WILLIAM BOTELER."

On the following day, or the day after, Boteler was joined by General Disbrowe and the forces from London, and Hampshire, and

other parts. By the 17th they reached Wincanton and received intelligence of the rout of their opponents. Thence Boteler returned to Wilts.

His Highness had received intelligence of what had happened at Salisbury with more than ordinary speed, and gave orders, as was his wont, to seize all the horses in the public stables in London and Westminster.[1] The news reached him the very day of the Rising, for we find the following orders to General Disbrowe, his brother-in-law, which mention the seizure of the Judges as a thing of the past. They are dated March 12th.

*The Protector's instructions to General Disbrowe, in Secretary Thurloe's handwriting.**

"Whereas there is an insurrection in the west by the Cavaliers who have armed themselves, and seized upon the judges of assize at Salisbury, and proceed on to commit other violences and outrages upon the people; you are therefore to repair with your regiment into the west, and to take into your charge and conduct the troops of Colonel Berry, now in the west, the two troops of Colonel Twisleton's, whom we have ordered from Chichester to join with you, and also all other forces both horse and foot in the western Countries. And you shall use your best endeavoures to prosecute the said Cavaliers in whatever parts of the nation they shall go; and to suppress them; and also to put the said counties into the best posture of defence you can; for which purpose Commissions are herewith delivered unto you; and all commanders and officers of the said forces are hereby required to observe such orders, as you shall give them, and to obey your commands according to the discipline of war. And all justices of the peace, mayors, bailiffs and all other officers and ministers, are required to be aiding and assisting to you; and are hereby required to fill up every troop in your regiment; to a hundred in each troop; and you shall give the same orders to all other the troops aforesaid; and you are also to seize and secure all persons which you shall judge dangerous to the peace of the nation, and search their houses for arms, and to seize their horses for the use of the state. Given at Whitehall the 12th of March 1654 (5).

To our right trusty and right well beloved
Counsellor General Disbrowe, Major General
of the West.

Disbrowe made all speed to win the honour of subduing the Western Cavaliers, and left London with his forces early on Tuesday. On the following day he wrote to the Protector[2]

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[1] *Weekly Intelligencer*, March 20th, 1654 (5).

* 3 Th. 221.

[2] Ibid, 247.

May it please your Highnesse

I came the last night to this place, and intended this day to be steering towards the Devizes; but upon some intelligence from Major Butler at Salisbury shall (God willing) goe to Almesbury, and hope to be there by two of the locke, in order to a conjunction with Major Butler and the two troopes from Chichester, and after a few houres refreshment shall proceed, as I shall gett intelligence, which I have by all wayes layed out for, and as the Lord shall please to direct us. I understand that the high sheriff of Wiltshire is gott from them and reports them to be bounding (when he came away) for Evill, (Yeovil) and thence for Bath and Wells. I doe not heare of any considerable accesse of force they have attained in all their progresse. I recommend your highnesse to the Lord's gracious protection, and remaine

Your highness's humble Servant

Newbury March 15 1654 (5) JOHN DISBROWE

I received both your highness's letters this night; the one by the old messenger about eight a clocke, and the other by Captain Crescet between 4 and 5 this morning.*

From Newbury he went to Amesbury, thence, as we have seen, to Shaftesbury and Wincanton. From the last-mentioned town he wrote to the Lord Protector, on the 17th of March. In addition to the complete rout of the Cavaliers, the letter narrates that a large number of them were already secured in Exeter Gaol.

"May it please your Highness †

This evening I received intelligence, that the enemy was routed on Wednesday night last at Moulton in the county of Devon; severall prisoners taken and carried to Exon goale; but I suppose the particulars are more fully sent to your Highnesse than is yet come to my hands; and therefore I doe by these humbly acquaint you of my intentions as to further service by dividing these troops with me into several places, where they may lye convenient for the apprehending of those that are fled viz: my own troope to Bemister, (Beaminster,) Captain Scotton's at Bredport, (Bridport,) Major Blackmore's at Crookehorne, (Crewkerne,) Captain Wallington's at South Petherton, and Major Jenkin's at Somerton and to keep a guard at Lamport (Landport.) Major Butler's troopes, two to Salisbury, and two to Marlborough; and the two troopes of Colonel Twisteltons to returne to Alton and Farnham, all to attend your Highness's further pleasure. I have written to the respective Sheriffs of Wilts, Dorset, Somersett, Devon and Cornewall, to use their utmost endeavours for the apprehending of all suspitious persons, that may be thought to have had a hand in this insurrection; and have also written to the Justices of the Peace of those respective countys, to make diligent enquiry what persons have been absent from their habitations within the space of ten dayes last past, and upon examination to deale with them as to justice shall appertaine.

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* 3 Th., 247. † Ibid, 263.

I purpose (God willinge) forthwith to ride to Exon, there to spend two or three days in examining those prisoners taken, from whom somthing may be obtained for the advantage of the Commonwealth. I am informed that Penruddock, Grove, Jones and Mumparsons * with about 40 of their men are at Exon in prison. It is thought J. Wagstaffe is escaped. I beg your Highness's pleasure and commands concerning myselfe and my troopes and subscribe myself

Wincanton March 17 1654 (5). Your Highnesse's humble Servant JOHN DISBROWE."

We thus see what large forces the Government had at their disposal to oppose such a rising as the present, well trained and disciplined, posted admirably for concentration or otherwise; the Sealed Knot were right, it was no time for attack.

A day or two after the 17th, Disbrowe arrived at Exeter, and examined and catalogued most if not all the prisoners thereabouts. Having completed his work in Devon, he went on to Taunton, where he wrote the following letter,[1] probably March 28th, for it is without date.

"May it please your Highnesse,

Accordinge to your commands, inclosed is a list of the prisoners in the several countyes and the places, where for the present they are secured. I doe understand that many of them doe pretend to innocency, as the Lord Paulett and one Mr. Tent of Somersetshire, and the Marquess of Harford in Wilts. The informations I have had since my comeinge into these parts concerning them is nothinge of new or late actinge, though I am very confident they generally knew of the late rebellion. *Their* (sic) be many in every County as bade or worse in their affections to the Cavilere party, that are not secured, for they are are of a meaner quality, and I did conceive it not convenient to sease more than I know what to doe withall; for truly I am humbly of opinion, that haveinge two many of them togetther, might give them an advantage of knowinge one another's minds more than now they can, beinge (seeing) I am forced to keepe them for the most part in inns, not havinge any other places, where is any accomodation for them. But if it be judged needfull, I can cause as many as your highness please to be taken up more; but I humbly conceive, these allready secured will be sufficient to proceed with, and to make a patterne for all the rest. Indeed, my Lord, I have not found it so easy worke as I thought it would have bine, to settle the militia in these parts to my satisfaction. I hope I shall now gitt through it. I have sent to Major Sanders to attend your highness for Devon, Captain Gorges for Somersett, Captain Dury for Dorsett, Major Ludlow for Wilts, and I intend Captain Crofts for Gloster; Col. Bennett is allready at

* Mompesson.

[1] 3 Th., 308.

London, who will be for Cornwall. I shall not trouble your highnesse further now, only to subscribe myselfe,

Your highness's faythful
and humble Servant
JOHN DISBROWE."

The List of Prisoners he enclosed contained, amongst others, the following names:—

"*Exon, March* 22 * 1654 (5).

John Penruddock, of Compton Chamberlain, in Wilts Esq:
Edward Penruddock, of the same, gent.
Hugh Grove of Chipenbury [Chissenbury], gent
Robert Duke of Stuckton in Southampton, gent, in Fording-Bridge parish,
Richard Reeves of Kimpton in Southampton, gent.
Francis Jones of Beddington in Surrey gent
John Jones of Newton Tony in Wilts, gent
George Duke of Stuckton in Southampton, gent.
Francis Bennet of Killington in Somersetshire, gent
Richard Wroughton of Wilcott in Wilts, gent
Thomas Helliard of Uxton in Southampton, gent.
Thomas Westcomb, of Sarum, Vintner.
Henry Collier, of Stepell Langford in Wilts, gent.
Thomas Fitz-James of Henly in Dorsetshire, gent.
William Stroud, of Wincanton, in Somersetshire, gent.
Joseph Collier of Steeple Langford in Wilts, gent.
Robert Harris of Blandford in Somersetshire, [?] cordwainer.
James Huish of Kim-ridge in Dorsetshire, gent.
Edward Moreing of Andover in Hampshire, weaver
Edward Davy of London, gent.
Joseph Moreing of Andover in Hampshire, yeoman.
William Wake of Blandford-Forum in Dorsetshire, clothier
Thomas Powlton, of Pewsey in Wilts, innholder.
Edward Willis of Sarum, innholder.
Christopher Haviland, of Lankey in Dorsetshire, yeoman.
Thomas Kninsey, of Salisbury, helliar.
Richard Attwood, of Uphaven in Wilts, butcher
Henry Hardinge, of Pewsey in Wilts, gent.
Abraham Wilson, of Sarum, Cutler
George Gifford of Compton Chamberlain in Wilts, gardener
Robert Browne, of Andover in Hampshire, Cordwainer,
John Biby of Compton Chamberlain in Wilts, gent
Simon Barnard, of Blandford in Dorsetshire, taylor.
John Cooke of Potterne in Wilts, gent
Richard Humphrey of Wyford [Wishford ?] in Wilts, warrener
Edward Painter of Andover in Hampshire, currier.

* This no doubt was the day the Exeter list was made; Taunton and Ilchester would be perfected by the 28th of March. 3 Th., 306.

Stephen Elkin, of Compton Chamberlain, servant to Mr. Edward Penruddocke
John Jennings, of Compton Chamberlain, servant to Col Penruddocke
Robert Nicholas, of Endford in Wilts, husbandman.
John Shepherd, of Compton Chamberlain in Wilts, servant to John Penruddock, Esq.
Richard Hyard, of Amporte in Hampshire, husbandman
John Bond of Harbury in Warwickshire, gent
George Hayward of Salisbury, in Wilts, woollen-draper.
Isaac Stichley of Sturminster in Dorsetshire, tanner.
John Hobbes of Idmiston in Wilts, yeoman.
Robert Barefoot, of Sarum in Wilts, soap boiler
William Lewington, of Linchinhold, in Hampshire, husbandman.
Nicholas Mussel, of Steple-Langford, in Wilts, yeoman.
Joseph Rivers, Colonel, of Rivers-Hill in Hampshire.
John Hordisnell, of Grays Inn, London.
Carey Reynell, of Pinsted in Hampshire gent.
William Hallet, of Netherby in Dorset, gardener.
Edmund Clicke of Bagshot in Berkshire, gent
Philip Woodward, of Fisherton, near Salisbury, clothe worker
Thoms Fray of Tisbury in Wilts, helliar
John Russell of Blandford in Dorsetshire, weaver,
Henry Sampson, of Sherborn in Dorsetshire, husbandman.
John Williams of Fyfield in Hampshire, carter
Moses Kenfield of Enfield in Wilts, husbandman
Robert Skardey of Endford in Wilts, taylor
John Bankes of Endford in Wilts, cordwainer
Edward Targett of Tesbury in Wilts, husbandman
Leonard Catkitt of Cholterton in Wilts, waggoner
Nathaniel Galpin of Blandford in Dorsetshire, weaver
Richard Broadgate of Blandford in Dorsetshire, tapster
Edmund Wynmouth of Sherborn in Dorsetshire, miller
James Combe, of Blandford in Dorsetshire, cooper
Thomas Mortimer of Sandford, husbandman.
Thomas Cawley of Shalborne in Wilts, husbandman
Richard Browne of Enford in Wilts, servant to Major Clarke
Robert Mason, of Newton Toney in Wilts, Capt. Jones's servant
Robert Sugar, of Sherborn in Dorsetshire, felt-maker.
Richard Batt, of Sarum in Wilts, smith.
Harmistowy, a trumpeter, a Dutchman.
Ambrose Cole, of Poole in Dotsetshire, warrener.
John Chamberlain, of Sherborn in Dorsetshire, husbandman
Thomas Uppington, of Chamberwick in Wilts, husbandman.
William Peirce of Salisbury in Wilts, carpenter
Thomas Coker, of Tiverton, Thatcher.
William Deyman of Tiverton, gent
John Allyn of Holliborne in Hampshire, yeoman
Thomas Lambert of Wilsweld in Hampshire bricklayer

Jethro Morelhey, of Chaten in Wilts, husbandman.
Henry Bynsteed, of Bynsteed in Hampshire, taylor.
Timothy Maton, of Endford in Wilts, carter
Cornelius Igney, of Harnham in Wilts, carpenter
Richard Read, of Whitchurch in Devonshire, husbandman
William King, of Fisherton in Wilts, husbandman
William Whatley, of Fisherton in Wilts, husbandman
Richard Miles, of Andover in Hampshire, clothe worker
Edward Cox, of Sturton in Somersetshire, gent.
William Bungy, of St. James's [Berwick St. James] in Wilts, taylor
Richard Brondgate, of Blandford in Dorsetshire, husbandman
Richard Kinfield, of Endford in Wilts, husbandman
Thomas Ranger, of Endford in Wilts husbandman
Andrew Blackman, of Binsteed in Hampshire, husbandman,
Thomas Gray, of Salisbury, hostler.
William Martin, of Evill in Somersetshire, taylor.
Hugh Edwards, of Bath, servingman.
James Marchbankes, of Morpeth in Northumberland, servingman
Richard Andrewes, of Sherborn, Baker.
John Pinson, of Sherborn, chapman.
Francis Toope, of East Knoyle, in Wilts, gent
John Purchase, of Salisbury, barber
Richard Askott, of Samford Courtenay in com. Devon, gent
John Homburg, of Te-mary in com. Devon gent
William Hurd of Mauboy in com. Devon, gent
John Haynes, trumpeter.
Christopher Wood, of Colingborn.

Taunton.

Henry Clarke, of Endford in com. Wilts Esq.
Thomas Hunt, of the same, capt.
Edward Poulton, of Monckton in com. Wilts, capt.
Thomas Pickhaver, of Maddington in com. Wilts, gent
Robert Foote, of Westminster, gent
Henry Hewitt, of Salisbury, yeoman.
John Frampton, of Blandford.
John Elhins, of the same.
Augustin Greenwood, of Salisbury, taylor
John Chapman, of the same
John Fulford, servant to Major Clarke
Richard Goleston, of Amport in Southamptonshire, gent
Oxenbridge Fowell of Abbots Cerne in Southamptonshire, gent.
Nicholas Saxton of Alton, gent,
Christopher Prince, Thomas Hutchins } Servants to the said Mr. Saxton.
Jasper Kelway of Salisbury, turner.
George Oliver of Blandford, felt maker.
Hugh Browne, of Fisherton, in com. Wilts, labourer.
John Lymmington, of Salisbury, Spurrier.

Charles Thomas, of Blandford, currier.
Richard Thornburgh, of Compton in Wiltshire, gent.
Col Philips of Montagne (Phelips of Montacute) in Somersetshire
Samuel Keymore.
William Atkins.

Ilchester.

John Palmer, of Kilmelton husbandman
Henry Gyfford, of Bruton in Somersetshire, cordwainer."

A goodly list numbering in all 136.

The same day from Taunton he wrote to Thurloe as follows :—

"Sir

Your last I received on my way to Taunton, where now I am, and have got some understanding of the prisoners there. Enclosed is (as I thinke) a perfect list of them, and of the others at Exeter, of which the greatest part doe sufficiently owne themselves to be engaged in the rising; and for the others that doe not, we have competent evidence. I am very glad that the commission for their tryall is in soe good forwardnesse, and shall, as you desire, take what care I can with the Sheriffe of Devon, that we may be provided of honest juryes against the time; hopeing you will receive no disappointment therein. Underwritten are the names of 5 or 6 of those at Exeter, whom it may be fit to begin with, as having been some of the leading persons in the rebellion; and I doe not thinke they are any of them soe esteemed in Devonshire as that there need be any great scruple, whom to adventure on first for a president at their tryall. The prisoners that are at this place we are sendinge to Ilchester gaole upon committments from the justices of the peace, where Mr. Hunt the Sherif desires, if with convenience to the judges and rest of the Commisioners, they may receive their tryall; and soe the trouble and charge of removeing them againe be avoided. I have very gladly read in your letter his hignesse pleasure for my returne to wayt on him at Whitehall; yet I judge it meet to expect your answer to my last letter, and as I shall finde his highnesse minde explained therein, shall accordingly hasten towards you; in the meane tyme remaineing

Your very affectionate friend to Serve you

Taunton March 28th 1655. JOHN DISBROWE

Sir

I should have written to his highness by every post, but I feared it would have been troublesome, except I had had somewhat of concernment. I pray lett his highnesse knowe soe much.

John Penrudocke of Crumpton in Wilts, Esq., Edward Penruddocke of the same, gent, Hugh Grove of Chysenbury, in Wilts, Gent, Robert Duke of Stuckton, in Southampton, gent, Francis Jones of Beddington in Surrey, gent John Jones of Newton Toney, in Wilts, gent,

I have spoke also with the Sheriffe of this County about the juryes, and he hath promised to be very carefull therein."

Now it is clear that some new court might have been instituted or some special commission issued to try the prisoners taken; but the

Lord Protector preferred to leave them to the ordinary proceedure of a commission of oyer and terminer.[1] He had not forgotten the petition of right then not quite thirty years old. Accordingly we find an entry in the books of the Council of State.[2]

"March 22d. Present His Highness, Lord President Lawrence, Lord Lisle, Lord Lambert, Sir Charles Wolsely, Col Fiennes, Mr. Rous, Col Jones, Earl of Mulgrave, Major-General Skippon, Sir Gilbert Pickering, Mr. Strickland.

That letters be sent to Lord Chief Justice St. John, and Mr. Justice Atkins, to desire them to repaire forthwith to His Highness.

Ordered by His Highness and the counsell. That Commissions of Oyer and Terminer be issued forthwith into the several Countyes for the Tryall of the persons who have been in the late insurrection.

Ordered that it be referred to Sir Charles Wolsely, Col Jones, Lord Lambert Mr. Strickland, Earl of Mulgrave, Lord Viscount Lisle, Sir Gilbert Pickering and Major-General Skippon any 3 of them to speake with the Counsell learned of His Highnesse the Lord Protector and to consider the whole business touching the tryall of the persons in the late insurrection, and to offer the names of the persons to be inserted into the severall commissions and Mr. Secretary Thurloe is desired to be assisting to this committee.

March 23rd, Friday. Present Lord President Lawrence, Lord Lambert Major-General Skippon and Colonel Fiennes.

Sir Charles Wolsely makes report.

Recorder of London to be written to, to come up speedily.

That a Commission of oyer and terminer be directed to S^r. Francis Thorpe one of the Barons of the Exchequer, John Glynn, Sergeant at Law, William Steele, Sergeant at Law, Recorder of the City of London, John Haggot Esq. one of the Justices of the Countyes of Carmarthen, Pembroke and Cardigan, Sir John Evelin [Evelyn] Robert Wallop, Esq., Alexander Popham Esq., John Sadler Esq. one of y^e Masters of y^e chancery, Thomas Estcourt Esq., one of y^e Masters of y^e chancery, William Stephens, Doctor of the Lawes, Richard Norton Esq., George Cooper, Nicholas Greene, Richard Lucy, Thomas Boureman,

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[1] I do not stop here to discuss Cromwell's administration of the law. He is admitted by every one to have thoroughly done so in all causes between man and man. Is it not too much to expect from those times, and the nature of his authority, that he should allow his government its origin, power and purpose to be discussed in Court? At least we can remember with pleasure how he asserted the Majesty of Justice in the case of Don Pantaleone Sa.

[2] State Papers. Interregnum. Domestic Series, Entry or Fair Order Book of the Council of State. 1653—1655. No. 103. In the same volume under date March 16th, 1655, the usual wholsome remedy for Government antagonists, is prescribed on the present occasion.

"March, 16th.—A letter to be sent to the Sheriffs of the severall counties for inventring and securing the personall estates of severall persons was read and agreed to. The Commissioners of the Treasury are to fill up the names of the Sub-commissioners, and Mr. Secretary is to give the names of the persons whose estates are to be secured in the severall countyes,"

John Dunch, John Hildesley, William Willoughby, Lislebone Long, John Gorges, John Brown, John Trenchard, John Bingham, William Hussey, Walter Foy, James Dewy, Robert Pelham, Edward Butler, Arthur Upton, John Drake, James Erisye, Henry Hatsell, Edmond Powell [Fowell ?], John Searle, Thomas Saunders, Robert Bennet, John Blackmore, Robert Shapcott, Anthony Nicoll, John Moyle, Richard Carter, Thomas Ceely, John Fox, The Mayor of Salisbury; Francis Swanton, William Jephson, Nathaniel Whetham, Robert Aldworth, or any five of them."

This was afterwards altered; the names of Baron Thorpe, William Willoughby, and others were expunged; but it is interesting as shewing to whom on the first blush the Government looked for support.

The same names of those who were to serve on the Commission will be found in the Draft Order Book of the Council of State of the same date.

In Thurloe, vol. iii., p. 295 is a further record of the proceedings of that day.

"At the Council at Whitehall.

Friday, March 23rd, 1654 (5).

Sir Charles Wolseley makes report from the committee of the council, to whom it was referred by an order of yesterday, to consider of the whole business, touching the trial of the persons in the late insurrection, and to offer names to be inserted in the several commissions; and upon several questions put it was resolved as followeth viz.

That a letter be forthwith written in the name of the council, to Mr. Recorder of London to come up speedily.

That a commission of oyer and terminer in the counties of Wilts, Dorset Somerset and Devon be prepared and directed to Francis Thorpe one of the Barons of the Exchequer (and the other names as in the order book).

That some persons shall be sent down to prepare things for the trial of the said persons in the west.

That letters be written to the Sheriffs of the several counties, to give notice to the said several commissioners, in their respective counties, to attend the said service.

That the said commission shall extend to the counties of Wilts, Devon, Dorset, and Somerset.

That Mr. Attorney General and Mr. John Saddler be the persons, who shall be sent down to prepare for the trial of those in the west.

That the clerks of the council do prepare letters to be sent to the several persons, according to the tenor of these votes.

That the said committee are desired to hasten this report as to Commissioners for the other counties, and in order thereunto to meet this afternoon.

William Jessop, Clerk of the Council."

Returning to the Council Order Book:—

"March 26th. Lord President Lambert, Sir Charles Wolsely, Sir G. Pickering, Colonel Fynes, Mr. Strickland, Major-General Skippon, Colonel Montague, Mr. Rous, present.

Ordered. That thanks be given to the Lord Mayor and Commissioners of the Militia of London.

That Baron Nichols (Nicholas) and Mr. Solicitor General (Ellis) doe presently repaire thither and that letters be sent to them in that behalf."

On the same day another entry was made in the Draft Order Book.

"March 26th. Ordered that Mr. Roger Hill and Mr. Richard Graves be sent down to [the] West, instead of Mr. John Saddler, to assist Mr. Attorney-General [Prideaux] for preparing what is necessary for the tryall of those lately taken for rebellion. Notice to be sent to them. [Marginal note: "not: sent 27th."]

April 3rd. Ordered that the Commissioners of Oyer and Terminer shall appoynt the sittings to begin at Sarum, Wednesday, April 11th; Exon, Wednesday, April 18th; and Chard, Monday, April 23rd. [There is a marginal note which I cannot decipher, possibly meaning the day might be deferred till the 25th.]*

Same date. Warrant for payment of £300 to such person as should be appointed to officiate as steward for incurring the expenses of the commission of Oyer and Terminer in the Western Counties, and that Mr. Nicholas Bond be appointed and desired to undertake that service.

April 4th. Mr. Bond pleading ill health. Mr. Holway Cynydoth, formerly appointed to the Northern Counties appointed instead.

£200 granted to the Northern Counties circuit." †

Now as Mr. Secretary Thurloe assisted the committee of the Council in their arrangements, he would be able to give them the following information from notes taken in his usual methodical style, from the lips of the first prisoners who arrived in London.[1]

"*Collier.*‡ That he saw Mr. St. Loe between Blandford and Evill [Yeovil], who boasted he had 40 men for them.

Willis of Salisburye, an inkeeper.

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* There appears to have been no assizes in Dorset or Cornwall that spring, as there is no provision made for them in this order; and it is clear from Thurloe that thoughtsome of these Commissioners and the Atorney-General went to Dorchester, it was merely to rest there for the Sunday, *en route* to Exeter. From the latter place they went to Chard, and thence back to London. The days appointed for the original spring circuit, which was interrupted at Salisbury, were: Hants, March 8th, Winchester Castle; Wilts, March 12th, New Sarum; Dorset, March 15th, Dorchester; Cornwall, March 21st, Launceston; Devonshire, March 26th, Exeester Castle; Somersetshire, April 2nd, Taunton. *Perfect Account*, February 14th, to February 21st, 1655.

† Record Office Papers. Domestic Interregnum. ‡ 3 Th., 365.

[1] 3 Th., 285.

Westfield.
Gabriel Pile.*
Clancee of Hampshire.

That one Dorrington, servant to Phillips, sayd, that Mr. Wyndham,† who should have brought in a good company of horse, was taken prisoner. Grove and Col Bowles sayd, that Marquesse Hartford was to come to them with horse and foote.

Westfield sayth, that Willis the innkeeper told him, that the M. of Hertford would come into Salisbury with horse and foote and proclayme Charles the 2nd.

He saith that Mr. Mompesson told him, that the M. of Hertford would assist them, and that they had his hand for it. Col. Bowles sayd the same.

That Mr. St. Loe sayd, there was but a small number; that he had some horse and armes for them not farre off; that they must set back to backe and fight it out. That Saint Loe had, as he remembers, noe pistolls before hym, but he had pistolls in a portmantle, which his men carryed.

Collyer saith, that one Lieutenant-Col. Reeves was with Penruddock.

Cheefe Actors
- Mr. Grove; to be sent for.
- Mr. Jones.
- Mr. Penruddock.
- Captain Hunt.

Saith that Mr. Grove told hym that many had engaged themselves in this designe, which had failed them,† but that they should suffer as well as they.

Mr. Saint Lowe: he sayth, he lives in Dorsetshire; and sayth, that as he was goinge from his house to Kington, within 7 miles of Salisburye, to hire some lands of his uncle Saint Loe, whoe dwells there, and as he was goeinge, he mett with two or three scouts, one whereof had the sheriff's liverie, and forc't him to goe along with them as a prisoner, to a body of horse, commanded by Sir Joseph Wagstaffe; where he mett with Mr. Penruddocke, Mr. Grove, and severall other of his friends, who told them, they were for the kinge; but sayth, he desired them to dismisse hym; but they refuseing, he sent home his man to acquaint his wife, who returned to hym againe, and saith,§ soe he marcht with them to Blandford, where he confesseth he sayd unto the people, that he was Penruddocke's Captaine, but listed none. And beinge askt, whether he knew not of this bussines before, he saith he had a common report of it, but had noe discourse with any about it. He saith, he was at Penruddocke's upon the Friday before the rising, where were Max [or Mack] the apothecary and doctor Whitwell; and beinge askt what discourse they had, he sayth, he heard them talke of what sport they should have on Monday, and spake of what they would doe with the judges; and he asking what they meant by this, Penruddock told him, he should see on Monday, if the Examinate would march into the countrie.

He sayth, he went with them as farre as Sherburne, and there left them.

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* Possibly related to the King's agent for the west, he escaped.

† Mr. Francis Wyndham of Somersetshire had been arrested sometime after March 3rd, 1655, on the information of Jack Straddling. 3 Th., 181. His petition for release is given at 3 Th., 397.

‡ Some of the Hampshire men, and perhaps Lord Hertford, whose share in the rising I shall allude to hereafter.

§ This sentence is unfinished.

He sayth, his man, when he returnd, brought with him two paire of pistolls, which he bid his man bringe with hym; and whilst he was with them, he was as much for them as could be.

Sayth that Mr. Penruddocke was severall tymes with hym, and desired hym to take up arms.

He confesseth, that he knewe of this business half-a-year agoe; and that Mr. Penruddocke told hym, there should have beene a generall risinge all over England, upon Saint Valentine's daye."

Mr. St. Loe was a Dorset gentleman, though described in the indictment at the assizes, as we shall see, as of New Sarum;[1] a man of of promise rather than performance, who left the Cavaliers at Sherborne and returning towards his own county, fell into the hands of Colonel Boteler, and was by him transferred to Captain Horsington of Salisbury, to be lodged in the gaol there. But Horsington being a friend of St. Loe's, took him off at once to London, perhaps thinking that a speedy confession would be the most potent instrument in saving him from the pains of treason. Boteler[2] writes of him:—

"That in addition to joining the rising himself, he had been informed that he had sent two men and horses to assist the rebells. That he had been once Captain of some of the Clubbmen in Wilts, a business his highness would well remember [Secret Society Royal!]. That next to Penruddock there was scarce a man amongst them who deserved less favour."

Pleasant for St. Loe, after having made a clean breast of it! Instead of putting back to back and fighting it out as he had bragged, his back had been soon turned on his friends, and was now ripe for the cudgel of his foes. However, after some anxiety, he was not brought to trial.

The above notes are preserved amongst the Thurloe papers, and are, as I have said, in Mr. Secretary's own handwriting; so are also the following further examinations of St. Loe, which I insert here, to perfect his narrative, though rather out of order. The first taken March the 29th.[3]

"He saith that about half-a-year agoe Mr. Penruddocke came to his house, and acquainted him, that there was intended a general rising all over England for the Kinge, and that this risinge was to be upon Valentine's day, after which

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[1] 3 Th., 366. [2] Ibid, 309 and 374. [3] Ibid, 314.

the Kinge himself would be here; and so persuade this examinate to joyne with them in it, said all the countrie would joyne with them in it, and that Sir William Waller was to head the cittie, and Penruddocke to undertake Wiltshire, and other gentlemen the other counties; he said further, that the levelling party in the army were discontented, and would oppose the protector.

He said, he went afterwards to the house of Mr. Penruddocke, where he met with one Mr. Thornbury, whose father was sequestered, and there this examinate and Mr. Penruddock discoursed of the aforesaid business, when Penruddock told him, that Colonel Bennet and some other of this partie were taken at London, which had disappointed them, and their day was put off; but said the examinate should heare of it, when another day was appointed. He saith he doth not knowe, whether Mr. Thornbury heard this discourse.

He saith, that he had a third meeting at the house of this examinate. Mr. Penruddock and his brother came to hym and told hym, that the business was much dasht, but that they should nowe more very shortly; and saith, that they should have mett at a great horse race to have been at Salisbury about the 15th of Febuary, but that being forbidden they were disappointed in that.

He saith that the examinate went to the house of Mr. Penruddocke on Friday before the rising, and then Penruddock told hym, that all was ready, and they were to rise upon Monday after, and askt him whether he had furnisht himselfe with armes; and this examinate answered him, that he had not, in respect he thought the business was over; but Penruddocke pressed him to goe home, and get ready; and soe he did, and promised to meet him upon Monday, which he did accordingly, and came to them before they came to Blandford, and went with them to Sherborn and there left them.

He saith, that Penruddocke was before this with Grove and several others in Wiltshire, and Sir Henry More to have fallen upon the horse at Marborough; but the horse keeping strong guard they were discouraged; and their design was to have 12 men gone in in a cart, and they to have seized upon the horses in the stables, whilst those without fell on, and saith that Mack of Salisbury was to have been chiefe in the business, and it was to have been some weeks before.

He saith, that when they were at Blandford, they spake of several gentlemen, who they said would come in, and sent to Mr. Butler of Hanley, and went to his house and some others, but found hym not.

He further saith, that the Marquesse of Hertford was expected with them, and that Mr. Penruddocke told him, that the Marquesse was engaged, and that the Lady Phillips, as he said, told him soe. And being asked whether Mr. Penruddocke did not tell him, he had beene with the M. of Hertford, he did, as he remembers, when he first spake with hym. And being further askt about it, he saith Penruddocke told hym, that he knew of his own knowledge, that the M. of Hertford was engaged, and bid hym take his word for it, and saith, that he told hym he had been with hym."

Two days after (March 31st, 1655,) St. Loe was further examined by Thurloe, when he said as follows[1]:—

[1] 3 Th., 330.

"That the Chaplain of the Marquis of Hertford had been oftentimes at Mr. Penruddock's of late, and Mr. Penruddock told him, that he had had much correspondence with him about the rising; and that his chaplain was to be with him upon the Saturday night before the rising; and by him was to learn from the Marquess of Hertford, what strength he would bring, and how the business was to be managed. And saith, that the Lord Winchelsea was to rise in Kent, and to keep Rochester, and after to seize upon Colchester, where a great party was to rise with him. And this he said the Marquess of Hertford had sent him notice of.

That there was a great meeting at Salisbury, either at the Lady Phillips' her house, or at the King's Arms, where was the same Mr. Penruddock, Mr. Reeves, Mr. Grove, Mr. Mompesson, Mr. Greene, junior, of Mere in Wilts and some others, concerning the general rising. And there they had directions what to do from the Lady Phillips, who came from London a little before, and had often been in France and other parts beyond the seas with the Queen. This was told him by Mr. Penruddock. And said that the day for the general rising was agreed on there.

He saith, that he was told by Mr. Penruddock, that one Captain Twyne, who lives near Blandford, was engaged; and also Captain Kirles of Woodcuts in Dorsetshire; as also Mr. Robert Freake of Upway in Dorsetshire." *

Thurloe would also be able to show them, if they had not already seen it in the *Perfect Diurnall* newspaper, March 26th, to April 2nd, 1655, p. 4257, the following examination of Arthur Collens, of the Isle of Purbeck, Dorset, late servant to Sir Joseph Wagstaffe, taken at *Barund*, 15th March, 1655, the said Collins being brought in by Mr. Henry *Gettings*.

"That on Sunday, being the 11 inst, the said Sir Joseph Wagstaffe met in Clarington [Clarendon] Park about 2 miles from Salisbury, where were mustered 60 horse, Mr. John Mountparsons [Mompesson] bringing from Salisbury to their aid 40 more, from whence they immediately marched to Blandford, where about 80 more joyned with them, thence they marched to Salisbury and secured the Judges, burnt their Commission, seized on their horses, and from thence returned to Blandford, where they proclaimed Charles the 2nd King, being in number about 400, from thence they marched to Sherborn, so to Evil [Yeovil], thence to Hunnington [Honiton] thence to Tiverton, where Mr. Mountparsons [Mompesson] left them, and then there were not above 300, from thence to Moulton, in which march they lost above 50 men and horse, and at Moulton [Wednesday night, 14th inst.,] were routed by the County Troop, Col. Shapcott, Captain Chafin &c. Sixty men taken, and 120 horse taken. Sir Joseph Wagstaffe escaped with the residue all in disorder, and in several companies. The intention of Wagstaffe was to

* No doubt a relative of Mrs. Penruddock's.

[1] Same in *Perfect Account*, March 28th to April 4th, 1655, p. 1762. I cannot find the locality of Barund. The newspaper editor very probably was in the same fix. The writing not very clear perhaps.

march into Cornwal, where he hoped to have found a very considerable party to have joyned with him."

Besides these informations he would have that against Edmond Mack, an apothecary of Salisbury, who Mr. St. Loe mentions as being at Penruddock's the Friday before the rising and to have been the chief of the intended Marlborough raid.[1] Mack's heart failing him some few hours after he left Salisbury, he returned thither and surrendered himself to Lieut. Heely or Huly, and Mr. William Eyre,[2] and was by them sent up to London. Col. Dove thought him a spy[3] from the enemy, and whether at his instance or on St. Loe's information, the Government pressed the prosecution against him, though desired to forego it. The Collier, mentioned in the Secretary's notes, was also in London, assisting the Government. He is spoken of as "a considerable witness."[4] Possibly he was one of the sons of the Rector of Steeple Langford, who with Wake held a house at Molton against Crook and his soldiers for four hours, and then only surrendered on articles.[5] But this is mere surmise, as both the Colliers were afterwards put upon their trial.

About the 20th of March, Colonels John Penruddock and Francis Jones were brought to London without their companions, Grove or Hunt.[6]

Crook wrote to Thurloe on that day from Exeter:—

"Upon My Lord Protector's Letter I immediately sent away Mr. John Penruddocke and Francis Jones; within some few howers after I had received an expresse from you, cleering any doubt I make of the person, because there were two of the name in goale; but the considerablenesse of the person guide me aright." *

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[1] Pp. 146, 148, sup. [2] 3 Th., 380. [3] Ibid, 243. [4] Ibid, 365.
[5] Ibid, 368. [6] Vide Mr. Secretary's notes above.

* This alludes to Edward Penruddock, whose name will be found on Disbrowe's list of prisoners. He was probably a son of John Penruddock's uncle, Henry Penruddock, who was a King's agent in this country in 1649. (see note, p. 122, sup.) I find the following items relating to him in one of the family account books, in John Penruddock's own handwriting:—

		£	s.	d.
Nov. 4th, 1654.	Paid for my cousin, Edward Penruddock, to Mr. Oliver, for which my father and myself were bound a hundred pound for principal and 80 pound for interest	180	00	00
	Lent to him by my father at Sarum	040	00	00
	Lent to him myself whilst he was in the Tower	010	00	00
	Paid for him to Mr. Woodward of Bristol	010	00	00
	Paid for him to my aunt Mead, for interest	006	00	00
The disbursements since my father's death	Paid to Mr. Oliver for a debt of my cousin Penruddock's, for which myself and my father stood engaged	0180	00	00

A cousin who lived not on air! Crook's letter will be found at 3 Th., 281.

His Highness the Lord Protector was at this time at Whitehall. On the 21st March we read in the *Mercurius Politicus*, March 22nd,

"he kept a day of prayer and thanksgiving to the Lord, the author of all deliverance and mercies;"

and of the day's proceedings the *Weekly Intelligencer*, March 20th to 27th, adds,

"that it was a day kept in Whitehall in thanksgiving to God for our deliverance from the late plot, and after a speech by His Highness, giving God the praise, there prayed and preached, Dr. French, Mr. Caroll, Mr. Craddock, and Master Lockier."

Much long talking, such as His Highness loved. Great pleasure there must have been to him that day too, when he received from the city of Salisbury a remonstrance, stating

"their detestation of that traiterous insurrection, which first took fire within their walls, through the insolence of a crew of desperate persons.*

Penruddock on his arrival in London, after a preliminary examination at Whitehall, was lodged in the Tower.

The *Perfect Account*, April 4th to 11th, says of this:—

"Penruddock and Jones were brought to Whitehall, and upon examination Penruddock confessed having proclaimed Charles Stuart, and was sent to the Tower."

He appears to have remained in London, and Westminster, together with Jones, till the 9th of April. *Perfect Proceedings of State Affairs*, another newspaper of that period, in its number for the 15th of April, has the following:—

"This day (April 9th) Colonel Penruddock and Jones, who have been severall times examined by His Highness the Lord Protector, were sent down towards the West, with a party of horse from the Swane Inn in the Strand,* where they have been kept prisoners since they came to Westminster, to be tryed by Common Law according to a Commission of Oyer and Terminer. They would now make a pretence that they did not rise for Charles Stuart but for the liberties of the people. Mr. Mack, the apothecary that came up from Salisbury, is also sent from the prison at Lambeth, prisoner down with them."

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* *Mercurius Politicus*, March 16th to 20th; *Perfect Diurnall*, March 12th to 26th, 1655.

† The Swan was a celebrated tavern at Charing Cross, and a more convenient place than the Towe for the custody of prisoners under examination at Whitehall, Ben Jonson's Ralph the tapster had no doubt long ceased before then to draw breath or beer.

There is the same account in the *Perfect Diurnal,* April 9th to 16th, 1655, and also in another paper *the Faithful Scout,* April 6th to 13th, 1655, with the addition that

"Penruddock would make his defence by fundamentals of law or by sacrificing his life."

Of the several examinations of Penruddock at Whitehall I can find no record. They left upon his mind at least a feeling of respect for the Protector, and we may well believe that this was mutual. For who could have conversed with Penruddock for even half-a-hour, without being impressed with the belief, that he thought he was acting from the highest possible motive in taking the part he had in the rising.

Francis Jones, who is described as "of Beddington in Surrey, gentleman," was a relative of the Protector's,[1] "an aggravation of his offence," as he happily lived to write. He was examined by Mr. Thurloe on the 4th of April, amongst other times, and of that there is this record :—[2]

"That he was beyond the seas this winter at Bologne, and went thither to put off four horses he carried from hence; that he met with Lord Gerard, one Bowers, and some other English gentlemen, but he had not much discourse with them, only Gerard said, that there was a design, and he perceived that Bowers had not long since fled from England for being in John Gerard's design, for which he was executed, and believes there was a real intention of executing that design.

That he was acquainted with the business in the begining of the last Parliament by Richard Pyle, a chiourgeon, and which was agent for the King in the West; he saith that this Pyle used to lodge at Mr. Chace's an Apothecary in Covent Garden, or at the sign of the four Fishes.

That three days before the rising, Pyle told him of the rendezvous, and that several gentlemen, as Mr. Penruddock and others, would meet him as they did, and also Sir Joseph Wagstaff, who told him, that the Marquiss of Hertford was engaged in it, and that the Duke of York would also be in Cornwall, and said that he and the Lord Willmott parted from him in France very lately, and that they came for England, and landed at Margetts, and that the duke of York went into Normandy. He told him also, as Pyle did before, that the levelling party in the army would also join in with them, and make disturbances in the army, and they were much troubled that Wyldman was taken.

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[1] 3 Th., 504.

[2] Ibid, 344. Possibly Francis Jones was a relation of the Jones of New Toney who was amongst the Exeter prisoners.

That Pyle after he saw there was no greater appearance, said it was the baseness of those who had engaged themselves, and failed. That Pyle told him that Colonel Gardner was engaged; that he met Pyle at one Pyle's house at Wallop in Hampshire. That they did all expect the Marquiss of Hertford very earnestly; and that Wagstaff said he would meet them at Blandford, that the said Pyle was very much acquainted with one Read that is now in the Tower. That Pyle informed them, that a great party would rise in Kent, the North, and in Wales. Said that Scotland and Ireland was to rise also at the same time.

That when he was in France, which was a little before Christmas last, there was the Cardinal's * regiment brought down thither; and it was reported there, that the French were to help the king to his crown; and the Governor of Bollogne said, that he wished he were in England with 2000 such horse as his were.

That Plymouth was the place where the Duke was to land.

That Pyle mentioned Lord Willoughby of Parham, and Sir William Waller to be engaged.

That when by the rising of the west and north they had drawn the army from London, then they were to have risen here in London and the parts about."

Some of the information thus obtained from Jones, Thurloe already knew from Manning, a gentleman in the exiled king's suite, who was just beginning to furnish him with "letters of intelligence" in return for bills of exchange.

By the 11th of April, Penruddock and Jones had reached Salisbury, where those who were about to take part in the assizes at that city had already assembled. The newspaper, *Perfect Account*, of April 15th, 1655, has the following record of their visit:—[1]

"Salisbury April 12th. Colonels Penruddock and Jones and Mr. Macke the apotheeary of this place came yesterday to this town from London in order to their tryall."

Further on we read:—

"Tuesday, April 17th, [Friday, April 13th] from Salisbury Colonel Penruddock was conducted from hence yesterday, and Colonel Jones towards Exeeter, where it is said they shall be tryed. Colonel Penruddock seems to be no whit daunted, or dismayed at the near approach of his tryall, which most people look upon as the very next step unto death, saying that he hath a quiet conscience, which is a continual feast, and refresheth and will support him in the time of the greatest difficulty and distress; but Colonel Jones seems to be a man of milder

* Mazarin. It was reported that King Charles was about to marry one of the Cardinal's nieces, a diplomatic commodity, of which there were "two in store." 3 Th., 564.

[1] There is a confusion of dates in the *Perfect Account*. The paper itself is headed Wednesday! the 15th instead of 18th April. The other papers say Penruddock and Jones left Salisbury on the 12th.

spirit, which often melteth his sorrow into tears. These gentlemen and all others that are in the same predicament, both in the West and in the North, had the earnest prayers of divers congregations in and about London, put up to Almighty God for them the last Lord's day."

This is evidently from a friendly Cavalier pen; is it that of John Martin, the Chaplain of Compton?

Penruddock perchance saw many loved ones during his stay at Salisbury, amongst others it may be, his wife and children, and that for the last time on earth, unless we picture them as appearing to the sad cortege, passing westwards: John holding himself erect and cheerful, Jones downcast, midst their stern puritan guard. Looks, or it may be words, hurried, full of deep earnest feeling, and John leaves his wife and children, his friends and home, and the land of his boyhood and his life, to face death.

"Linquenda tellus, et domus, et placens uxor."—Hor.

Mr. Nutley, in writing from Exeter on the 16th of April, mentions that Penruddock arrived there Friday the 13th.[1]

Leaving him with his associates at Exeter, we must notice other preparations for the trial of the prisoners.

Disbrowe having made as many arrests as he thought judicious, both of those whom he suspected as having joined, or even favoured the rising, and those whom he knew had actually engaged in it, returned to London.[2] During his stay in the west he had personally conducted the examinations of several of the prisoners; the information thus obtained no doubt found its way to Mr. Attorney General and his colleagues.[3]

Boteler, now a Major-General, was at Marlborough, full of thought for the coming trials in Wiltshire, ably seconded by High Sheriff Dove, on the other side of the plain.

Both the following letters are so characteristic of the men and the times, and open our eyes to the events as they really happened, that I give them here in their entirety:—

[1] 3 Th., 381. [2] Ibid, 308.

[3] We may rejoice that this system of examining prisoners as to their crimes, which is pursued in France, has not survived to us. Commissary Reynolds, one of the Government examiners at Shrewsbury, not obtaining all the information desired, suggests torture. 3 Th, 298.

*Boteler to Thurloe.**

Honourable Sir

I most humbly thanke you for mentioning my suite to his Highness, ıd while he thinkes my stay in these parts needfull, I think so too, and shall ry cheerfully comply with his commands. I shall away to Salisbury, and lvise with your Sheriff about the returning of their juries. I am exceedingly add to see justice at the heels of those, whose feete were lately so swift to ıedd the blood of the saints. *Because sentence against an evill worke is not ıeedily executed; therefore is* (and I am sure hath been in our late dayes) *the ırts of such men fully sett in them to doe evill.* Every thing is lovely in its ason; the same justice upon theise offenders would lose much of its glory, if ı execution should be deferred. Give me leave to minde you something in ference to one Mr. Saint Loe, that I sent up by Captain Horsington; besides ıat examination he brought with him, here is one of the parishe of Shaftsberry, ıat informes he sent in two men and horses to the rebells, as well as accom-ınied them in his owne person. Also I have this night sent a party to ap-ehend Sir Seamour Pyle, who by the confession of a prisoner I have here, was their first rendezvous with Sir Harry Moore, Mr. Mason, and Charles Lucas ıd others. I have had an high suspition of him this 5 or 6 six dayes and have length found my gentleman really guilty, as you may see by this coppy of ıe information I have sent up; for he was so cunning to be at Church both ɔones on the Sunday, and went not out till about the eveninge, and met Mr. ason and others at ten in the night, and came from back that first rendezvous, serving his further appearance till success should invite it, as many others ıd, who I trust, in tyme will be discovered. as well as he. I intend to send ım, or to take him with me to Salisbury; and there committ him to his part-ers, that he may share in their punishment, as well as in the sin. I beseech ɔu, sir, present my most humble duty to his highness, and let me assure you ıat I am,

Marlebrough March 28 1655 at 10 at night.

Sir, your most faithful servant
WILLIAM BOTELER."*

Dove's letter is dated the following day, and evinces great anxiety ɔr "Government" jurors:—[1]

Deere Sir,

I have received yours of the 6th [26th?] instant. Since my last to ɔu I have had some of those gentlemen, that Lovelace nominated in his dis-ɔvery, amongst whom, young Mr. Tregonwell I have examined, and finde, upon ɔod proofe, that he and his servants never were out; and that Lovelace, when ıey were brought face to face, did not knowe the gentleman; soe I finde Mr.

*Enclosed in this letter was an information of one William Palmer of Hungerford, a cordwainer, ho had joined a party at Bottle's Hill, four or five miles from that town, on Sunday, March 11th, ith a view of going to the rendezvous at Old Sarum, but had turned back and been arrested. He ıd met (so he said) Sir Seymour Pyle, Mr, Mason, Mr. Dean, Thomas Curt, and others; and had ɛen told by one Rose, Servant to Sir Humphrey Moore that Captain Pyle (Richard Pyle) was there.

[1] 3 Th., 318.

John Tregonwell cleere as to this business; he hath engaged to his highness in 2000*l* bond, to appeare when called on, and not to act any thinge against his highness, nor the Commonwealth, &c.

Sir, I understand a Commission of oyer and Terminer is issued out for tryall of the rebells in the west; and there is a mistrust of my under sheriffe. Sir, I resolve, that not one man shall be returned in the one or the other jurys, but such as may be confided in, and of the honest well-affected party to his highness and the present Government. If there be but enough to be found of them throughout the whole county (which I hope there is) it is and will be my greatest care for that business to see it punctualy don, and not trust my under-sheriffe therewith, that is soe much spoken against by some here, that would have had one of their relations bin my sheriffe, which, had either of them prevayl'd, I should not have trusted them in this great worke; there is such abominable falshood amongst some men now a dayes, that a man knoweth not whom to trust.

Sir, you would be glad to knowe, what men were fittest to be proceeded against in the first place; to which I give you my thoughts, humbly submitting to better judgements, that in the first place to proceed against the chiefe and principall actors, that were commissionated, as they said, by Charles Stewart; for if any of them goe free, it will soe much disharten the honest party of the country, that they will be affrayde to shewe themselves to act for his highness. Therefore due care must be had of that.

For the second place, against such as are knowne to be of implacable spirits in the country, and most disaffected to his highness and the present government.

And in the third place, against such as thinke to escape by favour, and may remayne as nest eggs, to cherish others hereafter, that may prove a pest to his highness and the Commonwealth.

Sir, I believe great suit is and will be made to his highness for some of the principal actors, by reason of relations; but I am confident his highness will looke more upon the publique good, then there addresses, as the case now standeth with England, &c.

Sir the county of Dorsett I heare have a commisson for the militia. I feare some may stop the sendynge one hither, on pretence of ease to the county. But confident, that if it be delayed it may prove dangerous.

Sir, those forces I have already raised, I have uo rule or instructions what to doe or how to pay them. I desire you move his highness about it.

Sir, I doe what I may to finde out the first actors. Sir they be cunning fellows. The Lord God bringe their evill counsells to naught. I ame

Sir, your affectionate friend and servan

Sarum March 29 1655. John Dove."

Two days after this we find a second letter from Boteler,[1] written still from Marlborough, in which he says that the information against Sir Seymour Pyle was groundless. However, he had taken good bail "for his fortheominge." He then proceeds

[1] 3 Th., 327.

'I writt to you a week since, to know if you might have anything against one Colloncll Bennett (formerly of the kings party) whom I received upon suspition, nd would willingly let goe free, if I knew his highness's pleasure therein. I ıave now sent me an inventory of Mr. Lucas his personall estate, which I gott wo honest men of the towne to take with an officer of myne. I shall send it ıp to you some time by a messenger, it being of too great bulke for a letter.

I have employed two very honest men to go up and downe the countrey, nd bespeake such as may be fit matter for jurors at Sarum; and Monday and uesday severall honest gentlemen will be with the sheriffe and myselfe at Sarum, to direct and correct us therein; and, indeed, his facileness, and my ınacquaintance with the country, made me thinke of this course. The next ime you shall write any commands to me, you may please to direct them to me ıt Salisbury."

Mark well his observations about poor Lucas's estate—that ripe plum for the Commissioners for Sequestration—and note that every care is taken, that the jurors summoned should be government men. The county is well searched for a panel of this colour, and then the numbers so made up are further sifted a week before the assizes, after a careful examination. But there is no evidence of any direct tampering with them; in one, if not more cases we shall see that they took a line of their own, notwithstanding the efforts of Mr. Attorney General.

The Salisbury commission day, April 11th, arrived and there was

"a very great appearance of honest jurymen, that shewed their readiness to attend the service of His Highnesse and the Commonwealth, being made choice of by the Sheriff." *

All the judges arrived the day before, except the Lord Chief Justice, who came the following morning.

"The Sheriff was put to it to meet the judges, they coming into the City of Sarum for this work, as it were from the 4 corners of the world, East, West, North and South, so they did, the like was never known before, yet the Sheriffe with his men gave the judges which came into the city, a meeting and waited on them severally to their lodgings, so well as if they had been all together."†

"That day too (April 11th) there was a sermon preached to the Commisisoners in the Great Church at Salisbury by Mr. Rashley, Minister of the Great Church and that day the Commisioners were called that after noon." ‡

"The Sheriffe entertained the judges and his Highnesses counsell with much respect on the first day of their sitting." §

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* *Perfect Proceedings*, May 3rd, 1655. † Ibid. ‡ Ibid, April 19th. § Ibid, May 3rd,

On the same subjects Mr. Roger Hill, one of the junior counsel, wrote to Thurloe.[1]

"We find in this place a great and full appearance, besides the Lord Commissioner Lysle, the Lord Chief Justice Rolle, Baron Nicholas, Justice Wyndham, Mr. Serjeant Glyn, and Mr. Serjeant Steele, there are of Hampshire Wiltshire, and Dorsetshire, Commissioners of Oyer and terminer about twelve or thirteene. Here appeared about twentie justices of the peace of this Countie three and thirty gentlemen, that were returned of the grand jury; three and twenty of them were sworne."

He then proceeds to lament that the gallant show was thrown away.

"I doe heartily wish that we had found here some of those that are accompted the most considerable persons, that appeared in the late insurrection this being the place, where they shewed themselves."

Never can Salisbury have seen such an assize. It would pass our comprehension where all the worthies, commissioners, justices, jurymen, and witnesses found quarters, did we not remember, that those were male bed-fellow days. The same couch which held an embryo Protector and Saxby would hold at least a jury. We must not forget the soldiers—Boteler was there in good force; Crook and his troopers at the special orders of the Government; Horsington and the Salisbury party, Major Ludlow[2] and the Wilts militia; not to mention Major Wansey. Truly a vast assembly!

The principal Commissioners were, for the most part, men of mark and four of them, Lisle, Rolle, Nicholas and Wyndham, connected with the west country both by birth and association. John Lisle, one of the Lords Commissioners of the Great Seal, was a very devoted adherent of Cromwell. So much so that though he was not far from him in point of age (born about 1606), and though he had been blessed with all the freedom that Magdalen Hall, Oxford (admitted 1622, B.A. 1625-6,) and the Temple could give, yet he was little more than a satellite. In course of time he had become M.P. for Winchester. He took a prominent part in the King's trial, a thing never forgotten by his enemies. For notwithstanding his casting vote as President of the High Court of Justice, in favour of Mordaunt, some years after the present trials, he perished within

[1] 3 Th., 365. [2] Ibid, 376.

four years of the Restoration in a foreign land, at the hands of a Cavalier, we will hope not Royalist, assassin. We look back on him in the proceedings of this circuit, as chiefly giving weight to the commission from the magnitude of his office.

A very different man was the Lord Chief Justice Rolle,[1] one of the brightest characters of that time. He was born in Devonshire about the year 1589. Exeter College, Oxford, the Inner Temple, made him *"non sine labore"* a highly educated gentleman and lawyer.

"Justum et tenacem propositi virum."—Hor.

We see his industry and ability to-day, in his well-known legal works (the Abridgement and Reports). We see his integrity in the story of his blameless life. He was a member of the last parliament of King James the First, and of the first three of King Charles, representing successively Kellington and Truro in the popular interest. So much was he respected by the House of Commons, that in the negotiations betwixt the King and themselves, February 1st, 1643, he was recommended to the King for a puisne Judgeship. The negotiations fell through, but the Parliament themselves appointed him to that office in 1645. Three years later he was promoted to the rank of Chief Justice. Thinking the powers that then were, the only possible ones for his distracted country, he, with five other Judges, consented to act under them, "provided that the fundamental laws of the kingdom should not be abolished." In 1650 he and Mr. Baron Nicholas went the western circuit, and won the thanks of Parliament for their services. In their charges to the various juries they had advised "settlement under that present government."

[1] The Lord Chief Justice Rolle, whilst at Salisbury very discreetly demanded his horses from Captain Crook. The horses were amongst the spoils of South Molton, having been borrowed thither by the Cavaliers. Crook politely declined, saying the horses belonged to his soldiers. The Chief Justice then pressed Serjeant Glynn and the Attorney General to move the Protector, saying "he could not go circuit without them." They wrote to Thurloe with no love to the Chief, and apparently he got his horses, for I find the following entry in the Draft Order Book of the Council of State:— (Domestic State Papers. Interregnum.)

"May 4th, Friday 1655. (His Highness present.) Order for payment of three score and eighteen pounds to the soldiers who recovered the horses of L.C.J. Rolles and Mr. Baron Nicholas seized by the rebells at Salisbury as satisfaction to the said soldiers—to be paid to Robert Roberts out of Counsells contingent expenses."

More recently he had presided at the celebrated trial of Don Pantaleone Sa, the brother of the Portugese ambassador. Well-known on the western circuit, his presence must have been most acceptable, a thorough guarantee against any hurried justice and shuffled verdicts. There was some talk after those days, which has been repeated, that he would not engage in the trials because he disliked the whole proceedings. But on looking closely we find this was not the case. Whether he approved or not, he was present at Salisbury, at the consultation about the indictment, and afterwards there and at Exeter during most of the important trials. His objection to preside, on account of his having been one of the chief objects of the Cavalier attack, has ever been considered an overwhelming reason against his doing so. Was it incumbent on him to serve there as a Judge at all? I think not. He might have declined, but he preferred to be present to see that justice was fairly administered. The Government were glad for they knew the respect he enjoyed throughout the west country.

Robert Nicholas, a Baron of the Exchequer was a rough-and-ready Wiltshireman. He came from the same stock as Sir Edward Nicholas, Charles the First's Secretary,[1] and Dr. Matthew Nicholas, sometime Dean of St. Paul's. Both these last were from Winterbourne Earls, but Robert was described as of All Cannings on his admission to the Inner Temple, July 25th, 1614. Probably then he was about 20 years of age.[2] In the disputes of Kings and commons he warmly used his hard head and tongue on the parliamentary side. 'Twas a very fiery tongue on occasion, witness his language to the Archbishop Laud, and in the Lord Goring debate. But his friendship was as strong, aye, stronger, than his temper, and the Commons loved the man. They made him a Serjeant-at-Law, October, 1648. They wished him to act as one the King's Judges. He with no little discretion evaded, without giving offence, afterwards they made him a judge of the Upper Bench, June 1st, 1649. We

[1] A.D. 1655, Secretary to King Charles II., and with him at this time. Notices of the Nicholas family will be fonnd in vol. vi., p. 136, and (with pedigree,) in vol. xi., p. 36, of this Magazine.

[2] In 1640 he was (with Col. Ed. Baynton,) one of the members for Devizes.

have seen how he repaid their kindness, by seconding the Lord Chief Justice, in trying to conciliate the west country in the following year. On Cromwell becoming Lord Protector, he rearranged the Judges of the Courts of Law, and moved Nicholas to the Court of Exchequer, to strengthen that Court. As one of the Judges insulted at Salisbury he declined any active part throughout the trials of the risers, affording fresh proof of the fairness with which they were conducted. Of him it could be said, that the fire of the advocate was extinguished by the impartiality of the judge.

Mr. Justice Hugh Wyndham of the Common Pleas was the sixth son of Sir John Wyndham of Orchard Wyndham, Somersetshire, and of Felbrigge, Norfolk. His mother was a daughter of Sir Henry Portman, and he was born about 1603. To Lincoln's Inn he came March 19th, 1622. After his call to the bar in 1629, he worked steadily at his profession. Business followed, and then the wars. In the early troubles his sympathies were with the Crown. The connection of his family with King Charles's Court, is too well known to be more than mentioned here. But his sense of justice moved him in course of time, to think there was some good in the Parliamentary cause; and so it came to pass, that though he let it be understood that he would object to serve under the Lord Protector, yet when asked to go as Commissioner on the Northern Circuit in the spring of 1654, he consented to do so. On the 30th of May, of that year, he somehow or other accepted the office of Judge of the Common Pleas. In after days he was re-appointed by both Richard Cromwell and Charles II. By the latter, a baron of the Exchequer, June 20th, 1670. He died on circuit at Norwich, July 27th, 1684, and his remains and monument are at Silton in Dorsetshire. The most important duty he ever discharged was the present, when he presided at Salisbury, with no little credit.

But the chief actor in the Commission was John Glynne, Serjeant-at-Law, not yet Lord Chief Justice. He was born to wealth and position in 1602 at the seat of the Glynne family, Glyn Llevon, Caernarvon. He added to these and the great natural gifts which he possessed, no little of the scholarship of Westminster School and Hart Hall, now part of New College, Oxford, whither he

went, for a three years' residence in 1620. During this period he kept his terms at Lincoln's Inn. Afterwards he studied law, and was called to the Bar, 1628. We seem to hear his silver fluent tongue ever rising or falling as occasion demanded, amidst the Parliamentary struggles; and can understand that his luck, audacity, and discreet view of politics and politicians, would soon give him command. He became M.P. for Westminster, in 1640. Against the unhappy Lord Strafford he was violently active. In 1643 he was appointed Recorder of London. After the war in December, 1648, he fell a victim to the Pride purge, but it turned out one of the trump cards of his life, for he escaped the King's trial. He was now pressed to resign his Recordership to Steele, but declined. Afterwards he changed his mind and did so. Cromwell, on coming to power, made him his Serjeant, having a very high opinion of him. He served as Commissioner on the Oxford circuit in the spring of this year, and was soon called to assist in the deliberations prior to the present trials, and placed on the Commission. His subsequent career was distinguished. On Rolle retiring from the Chief Justiceship, he won that post, which he had long played for, and retained it for some years. After the Restoration, though he could not hope for this, yet he won favour, still taking a leading part, and being amongst the first batch of Serjeants-at-Law, created by Charles II. He died in 1666. His son was made a baronet.

William Steele, Recorder of London, a barrister pressing close on Glynn in the great race of life, was of good Cheshire family. He entered Gray's Inn, June 13th, 1631, and passing through the legal *curriculum*, was called to the bar, June 23rd, 1637. Ten years later we find him admired for the energy and zeal, with which he prosecuted poor Captain Burley, who attempted to rescue the king. The Parliament forthwith named him Recorder of London, but as there was no vacancy at the time, it was a mere earnest of their friendship. However, the Attorney-Generalship soon fell to him; and accordingly the high, but doubtful honour of prosecuting the king. A fortuitous illness prevented his attendance at that trial. After this he became Recorder of London, August 25, 1649, having in the April

of that year, surrendered the Attorney-Generalship to Edmund Prideaux. In 1652, he was appointed a Commissioner to enquire into legal delays; and in 1654, for the trial of Don Pantaleone Sa. On the present circuit, he presided in Somersetshire, and as a reward was made Chief Baron of the Exchequer. Towards the close of the interregnum, he became Lord Chancellor of Ireland. A man of ability, and possessing the confidence of the government, he was early summoned to the discussions which preceded this circuit. Was he a good man? Some say he was not, others, more in number, say he was. Let us give our vote with the last, for though active he appears to have shewn no unfairness to the risers in the west.

I have not as yet found the Commission, or even a copy of it, so that I am unable to say what other Commissioners were at Salisbury. But of the presence of the above there can be no doubt from the following entry in the MSS. Order Book of the Western Circuit:—

"Att the session of Oyer and Terminer and Generall Gaol delivery holden for the county aforesaid att New Sarum in the said county the eleventh day of Aprill, 1655 Before John Lisle one of the Lords Commissioners of the great seale of England; Henry Rolle, Chiefe Justice assigned to hold pleas before the Lord Protector in the upper Bench; Robert Nicholas, one of the Barons of the Exchequer of the said Lord Protector; Hugh Windham, one of the Justices of the Common Bench; John Glynne, Serjeant-at-Lawe to the said Lord Protector; and William Steele Serjeant-at-Lawe, Recorder of the Citty of London; Justices &c.

It is ordered by the court, That the Lords Commissioners of the great seale of England be moved for granting two severall writts for choise of Coroners within the said County of Wiltes; (videlicet) one for the amoveinge of John Tidcombe, and another for the amoveinge of Richard Chapylyn; and some others to be chosen in their places and that the Sherriffe of the said county take course to see it prosecuted.*

The Attorney-General Edmund Prideaux, M.P. for Lyme Regis, was one of the moving characters of those violent times. A friend of Ludlow, his name is appended to several of the letters, which are to be found at the end of that General's Memoirs, not as a

* This is the only entry for Salisbury. It is not called an assize. There is a docket attached to the Circuit Roll for July, 1659, which says "the rolls for Lent, 1654 (5), are lost;" probably these would belong to the original circuit which was interrupted at Salisbury. It will not escape notice, that the names of the Commission had been altered, from the original list; Lisle, Rolle and Nicholas added, Thorpe omitted. That Rolle and Nicholas were thus appointed after deliberation is not without significance. See list, p. 143, sup.

correspondent, but simply certifying of them "*vera copia.*" He was perhaps educated at Cambridge, but of this I have discovered no direct evidence. One of the learned legal societies gave him an introduction to the bar. He rose to eminence in his profession, and entered Parliament. Here he soon won respect and confidence; and was named successively, Commissioner of the Broad Seal, and of the Uxbridge Treaty. In April, 1649, it will be remembered, he became Attorney-General to the Parliament. As such he was engaged in several important trials, amongst others, Love's, Lilburne's, and Gerard's; and so brought much talent and experience to the present circuit, of which perchance he was a member before he became Attorney-General.

Roger Hill, the first of the junior counsel for the Government, like so many others engaged on the present assize, was a west-countryman; belonging to an old Somersetshire family, near Taunton. Born at Colyton in Devon, in 1605, he entered the Temple at nineteen years of age, and reached the bar about eight years later. In the year 1644 he formed the one silent member of the array of counsel who prosecuted Archbishop Laud; in the following year he was elected M.P. for Bridport. Then came his nomination as a commissioner for the King's trial. In return for his present services, he received the coif. Afterwards, in 1657, if not before, a Baron's seat in the Exchequer fell to him. At the Restoration he retired, and died in 1667.

Of Mr. Graves, the third counsel for the Commonwealth, I can find no traces. His name does not occur amongst the judges of that period. Perchance he sank in the vast ocean of law, which has been the bourn, as well as the nursery, of many fine intellects.

Serjeant Maynard, the leader of the then western circuit, is not recorded as taking part in these proceedings, and most probably remained in London.[1]

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[1] Anthony Wood gives the following well-known passage, without citing any authority for the quotation: "Upon which occasion, the author of Hudibras the 1st and 2nd parts in Lond. 1674, oct., canto the 2nd, p. 92, about *velis* and *remis*, had the verses following, which were not allowed to stand in the first edition, 1663, because Glynne and Maynard were then living:—

In those days, no counsel could appear for the prisoners, unless an argueable point of law occurred, during their trials. Two counsel are mentioned who apparently went that circuit "retained for the defence,"—Mr. Harrison and Mr. Turner.[1] The Attorney-General tells Thurloe "that Harrison who had come to Salisbury at the same time he had, was too inconsiderable to have that done to him, which he (Thurloe) had suggested in his letter."[2] He afterwards says "that Harrison advised John Deane, telling him not to be guilty of his own blood by confession."[3] Mr. Turner was a member of the Middle Temple, not "he who was the late Parliament man." He came to protect the interests of his brother-in-law, Edward Clarke, who was amongst the prisoners at Taunton.

On the 10th of April the Attorney-General had written the following letter to Thurloe :—[4]

"Honoured Sir

I conceaved it necessary, as often as occasion was offered for conveyance, to give you an accompt of our proceedings here. Yesterday wee spent the whole day in agreeing against whome proceedings should bee, for what offences, and in what manner; the result whereof you will see in the list inclosed. Diverse of those, which wee receaved from you, were and are at large, whome wee intend to indict, and to proceed against them to the outlary. Some of those in your list are not soe much as knowne here [!] their names nor persons; soe as *

Did not the learned Glynne and Maynard
To make good subjects traytors strain hard?
Was not the King by proclamation
Declar'd a rebel o'er all the nation?"

Wood's *Athenæ*, (ed. 1817,) vol. 3, p. 753.

Fortunately for Maynard's reputation, there was, as there is, truth in absence. I have examined the original editions of Hudibras, both of 1664 and 1674, and can find no trace of the above passage. The author "had" may mean "was presented with."

[1] 3 Th. 371. This brother-in-law of Edward Clarke's was probably neither Sir Edward nor Sir Christopher Turner, judges in Charles the Second's reign. See Foss's Judges.

[2] We are not further enlightened, but we recollect that counsell were sent to the Tower for some of their arguments. Draft Order Book of the Council of State, May 18th, 1655. His Highness present. "Serjeants Maynard, and Twisden, and Mr. Wadham Wyndham, committed to the tower, after being severally examined, for using words tending to sedition and the perversion of the present government." This was a sequel to Cony's case.

[3] 3 Th., 377. [4] 3 Th., 361.

* "As" is superfluous.

those we are necessitated to omitt. Others though wee finde in prison here, yet wee cannot prove any offence against them in this county; but they were sent hither by the soldiers; and the offences if any were committed in the county of Dorset. Others wee finde so inconsiderable in theire persons, judgments, and estates, as that by consent of the Justices of the peace (who have been very active in preparing evidence, and assisting us with theire best advice and direction) and the officers of the army here, wee have thought fitt not to proceed against them, but rather reserve some of them for testimony, who accuse divers persons, that denyed themselves to have been in this action; and wee have in the place of those omitted, putt in diverse others, who by consent of the Justices of peace and the officers of the army, are agreed to bee sturdy and notorious offenders, and that it were a good service to quit the country of them. Wee did likewise conceave it necessary, though we could have proceeded against all for treason, yet to make examples of all sorts, some for breaking the goale, and thereby letting free many felonious offenders; others for Burglaryes, breaking houses, and taking away horses; others for robbing upon the highway; others for treason; and others, if the evidence will come to it, for misprison of treason. The Indictment wee have agreed; it was left with Mr. Baron Nicholas, who hath approved of it likewise; but I am afraid of my Lord Chief Justice. We expect the Judges here this night, and wee are ready for the proceedings tomorrow. I have not farther to trouble you, but to subscribe myselfe

Your very humble Servant

New Sarum April 10th, 1655. EDM. PRIDEAUX."

Inclosed in the preceeding :—[1]

Sir the Grand inquest [Jury] are now examining the witnesses upon the Indictment against Robert Mason, Thomas Curre, John Deane, Gabriel Pyle, John St. Lowe, Sir John Moore, and John Kensey; and Deane is to be tryed this afternoone, if the grande Jury finde the bill. The evidence appears to bee very full on this bill also. The grand jury were all fully satisfied on the former bill, and brought it in, in a very short time.

The following is a list of the prisoners for trial :—[2]

" 1 John Lucas of Hungerford, Berks
2 John Deane of the same
3 Henry Zouch
4 Edward Zouch
5 Henry Laurence a poor tenant or servant (or both) of Penruddock's.
6 John Fryer a tenant of Penruddock's.
7 John Thorpe, Innkeeper, New Sarum.
8 John Kensey, surgeon, Hungerford, Berks.
9 Edmond Mackes, apothecary, of New Sarum.
10 William Willoughby, of Knoyle, Esquire.
11 Robert Mason, late of Hungerford, Berks, Esquire.

[1] This P.S. is evidently written on the 12th. See the letters that follow.

[2] Compiled chiefly from 3 Th., 365. Those in custody at Salisbury, were arrested, or surrendered, in Wilts or Dorset.

12 Thomas Carr, of the same, gentleman.
13 Gabriel Pyle, late of New Sarum, Wilts, gentleman.
14 John Saint Lowe, of the same, gentleman.
15 Joseph Wagstaffe, late of New Sarum, Esquire.
16 Henry Moore, late of Fawley, Berks, knight.
17 Richard Bowles, late of New Sarum, Wilts, Esquire.
18 John Andrews, late of Tisbury, taylor.
19 Thomas Mompesson, late of New Sarum, Esquire.
20 Thomas Chivers, late of New Sarum, Vintner.
21 John Seamour, late of Compton Chamberlayn, yeoman.
22 Richard Green, the younger, late of Meere, gentleman.
23 John Cottrell, late of New Sarum, Milliner."

The above were all charged with treason in levying war against the Lord Protector, and the Commonwealth. Only the first 10 were in custody. The residue had escaped. The descriptions of the residences of several are inaccurate, *e.g.*, Wagstaffe, St. Loe, and perhaps Mompesson as of New Sarum. The place of trial, where they should be, was a sufficient description of the residences of those who challenged outlawry.[1]

The Commission was one for general Gaol delivery, so we find the following prisoners included; some of whom, the horse stealers and highwaymen for instance, were suspected of being concerned in the rising, though the evidence against them, did not warrant a charge of treason.[2]

1 John Lovelace*	For a robberie in the highway, and taking away goods and money to the value of 7s. 2d. [from] Richard Harebottle
2 Thomas Sweete *alias* Gamadge	
3 Robert Hartford *alias* Horwood	
4 Sampson Pitckfatt,	For stealing a nagg [of the value of] £5 and a pack saddle [of the goods and chattels of] Robert Younge
5 Margaret Gingell	[1] For bewitching Ellianor Lyddiard to death. 2 for bewitching Ann Beedle, so that she is pined and lamed.
6 John Woodward	For [stealing] two geldings [the property of] Richard and John Smith.
7 John Dole	[For stealing] a weather [of the value of] 6s. 8d. [the property of] Henry Turner.

On the morning of the 11th, after the arrival of the Lord Chief

[1] In our days no such description is necessary.

[2] 3 Th., 371.

*There is mention of an individual of this name in Sheriff Dove's letter. See p. 155, sup.

Justice, a consultation was held to settle the indictment against the prisoners charged with treason, and was attended by both judges and counsel. The latter, as we have seen, had already agreed about it, and also Baron Nicholas[1] and Serjeant Glynn.[2]

A letter of the Attorney-General tells us what passed at this interview:—[3]

"Until his (the L.C.J. Rolle) coming it was not held convenient to have a publique meeting to agree upon the indictment, though Serjeant Glynne approved it. What I doubted in my last proved true.* After a pretty long debate amongst us all, that it might be so done as to satisfie all, it was at length agreed, it should bee only for leavying of warre; † the reasons whereof I

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[1] 3 Th., 361. [2] Ibid, 371. [3] Ibid.

* The consent of the Lord Chief Justice.

† Copy of the Indictment of the rebels at Sarum. (3 Th., 270.) "April 12, 1655. The Jurors for the Lord Protector of the Commonwealth of England, Scotland, and Ireland, and the dominions thereunto belonging, Upon their oaths do present, that A B C D, &c together with a great number of other men to the number of two hundred to the said Jurors yet unknown, as false rebels and traitors against the said lord Protector and the government of the Commonwealth aforesaid, not having the fear of God in their hearts, but being moved and seduced by the instigation of the devil; and their due obedience to the lord protector, and government of the commonwealth aforesaid, not in any wise regarding, but the same maliciously and despightfully contemning, and the laws of England not at all weighing, nor the penalties therein contained in any wise fearing, but maliciously and devilishly imagining, contriving, and endeavouring to bring the said lord protector and government into great hatred, ill will, and contempt with all the people, the commonwealth, aforesaid, and sedition rebellion and a miserable and bloody war within the said commonwealth to move, stir up, procure, cause and levy; and also maliciously, wickedly, and devilishly, rebelliously, and traiterously devising, plotting, intending, and with all their strength endeavouring the publick peace, and common tranquility of the commonwealth aforesaid, to disturb and to stir up and raise force against the said lord protector and government of the said Commonwealth for the subversion and alteration of the same. They the said A B C D &c. together with the said two hundred rebels and traitors to the said Jurors yet unknown, the better to effect and accomplish their said most wicked treasons, traiterous conspiracies, imaginations and intentions aforesaid, the 12th day of March in the year of our Lord, 1654, maliciously, rebelliously, and traitorously, at New Sarum aforesaid, in the County of Wilts aforesaid, and in divers others places within the same county aforesaid, did arm and array themselves with trumpets, swords, pistols, pikes, guns, powder, leaden bullets, and other warlike, invasive and offensive weapons; and themselves being then and there so armed as aforesaid, in a warlike posture, and in the manner and form of an army, maliciously, furiously rebelliously and traiterously, did then and there gather together, assemble, ride and march; and wickedly, devilishly, maliciously, rebelliously, and traitorously, then and there did plot contrive, and endeavour to raise incite and stir up the people of England to rise, and together with them, the said A B C D, &c., and the said two hundred rebels and traitors, to raise arms against the said lord protector and government aforesaid, for the subversion and alteration of the same; *and also* that they the said A B C D, &c., together with the said other two hundred rebels and traitors to the jurors unknown, being so assembled in a warlike posture, and arrayed and armed as aforesaid a publick, open cruel and bloody war against the said lord protector and government of the commonwealth aforesaid, then, that is to say, the 12th day of March, in the year of our Lord 1654, aforesaid, and divers other days and times afterwards, at New Sarum aforesaid, in the County of Wilts aforesaid, and in divers other places within the same county wickedly, devilishly, maliciously, and traitorously, then and there did prepare ordain, and levy, to the great disturbance of the publick peace and common tranquillity of the said Commonwealth, to the great terror, affrightment and damage of the good people of the England, and to the imminent danger and hazard of the subversion, alteration, and overthrow of the government of the said Commonwealth, and of the raising, causing, and procuring sedition, rebellion, and a miserable destruction and bloody war there, and within all parts of the said Commonwealth, to the great peril danger and disquietment of the said lord protector, to the evil and pernicious example of

must acquaint you with hereafter. I pressed to have it otherwise; but I must submitt to those that were to bee my judges. Though they were not soe inclined; yet rather than to make a difference in this great service, were contented to submitt. Wee sate not till the afternoone, where was a good appearance of the Commissioners and Justices of [the] Peace; of the Grand Jury 32 appeared whereof 23 were sworne.

The exterior of the old Council House at Salisbury, survives to-day in the engraving in Sir Richard Hoare's Modern Wiltshire (Hundred of Sarum). Far less in size than the present structure, so much the more imposing must have been the presence of six judges in scarlet and ermine,[1] as they approached surrounded by Sheriff Dove's retinue, and no doubt a military escort.

In consequence of the "personal concernment" of the Lord Chief Justice and Mr. Baron Nicholas; and Lord Lisle not being a Common Law Judge; Mr. Justice Wyndham, presided and delivered the charge to the Grand Jury, on the afternoon of the 11th of April. A letter of the 12th April, 1655, from a Mr. Nutley, some government official, gives the following account of this :—[2]

"After his apology for this unexpected call to that service in regard to the personall concernment of my lord chief Justice and Mr. Baron Nicholas in the business he proceeded to declare the nature of the horrid and unheard-of crime in question; which as well by the common law, and the Statute laws both ancient

all others in the like case offending, in manifest violation, and contempt of the laws of England, against the due obedience of them the said A B C D &c. to the said lord protector and government of the said Commonwealth, against the publick peace. and against the force of the Statute in such case made and provided &c. And also maliciously, devilishly, and traitorously conspiring, plotting, compassing, and imagining the death destruction, and utter ruin of the said lord protector, and also wickedly, rebelliously, and traitorously intending, proposing, plotting, and endeavouring, by all the ways and means they could and might, to promote Charles Stuart, eldest son to Charles the late King of England, to be king and chief Magistrate of England, Scotland and Ireland, and of the dominions thereunto belonging, they the said A B &c. together with the other two hundred rebels, and traitors to the jurors unknown, being so assembled, armed, and arrayed, the 12th day of March AD 1654 at New Sarum in the County of Wilts aforesaid, the death, destruction and ruin of the said lord protector falsely, devilishly, rebelliously, traitorously, and of their set and forethought malice did intend, compass, imagine, and endeavour to execute and procure; *and* that they the said A B &c. together with the said other two hundred rebels and traitors unto the said Jurors unknown, being so assembled, armed, and arrayed as aforesaid, the 12th day of March in the year aforesaid at New Sarum aforesaid and in other places within the aforesaid county, in further execution of their wicked rebellious, and traitorous purposes, intentions, and imaginations aforesaid, wickedly, devilishly, maliciously, traitorously, and as false traitors against the said lord protector and government aforesaid, did with loud voices proclaim, declare, publish, and promote, the said Charles Stewart eldest son of the said late king, to be king and chief magistrate of England, Scotland and Ireland, and the dominions thereunto belonging." [The indictment as finally settled probably ended at the words "made and provided, &c."]

[1] It may be the Lord Commissioner Lisle was in some such gorgeous robe as that of the Lord Chancellor of to-day. Those things were not forgotten then.

[2] 3 Th., 372.

and moderne, was adjudged treason to leavy warre against the chiefe magistrate; aggravating the same with the circumstances of tyme, place, and persons of the judges; the delay of justice, and the damage of the people, and taking away the commissions from the judges. Hee likewise declared the great obligation lying on the people to his highness, for directing this offence to be tryed by commission in the ordinary legall way, and not by extraordinary commissions, as he might have done in such tymes of such imminent danger; wherein hee manifested his carefull desire to maintayne the lawes.

It is a convenient time to say a few words on the law as above enunciated, which is replete with interest and difficulty.[1] The length and breadth of treason till the time of King Edward III, the Judges themselves only knew; founding, so they said, their decisions on the common law of the land. A vast, expanding ocean was the common law; and during that King's reign it burst in, so some thought, upon the liberties of the subject. The King was petitioned to stay the waves, and he set up the Statute of Treason, as a barrier against further encroachments.

It declares

"That it shall be treason when a man doth compass or imagine the death of our Lord the king or of our Lady the Queen his wife, or of their son and heir &c. . . . or if a man do levy war against our Lord the King in his realm, or be adherent to the king's enemies, in his realm, giving them aid and comfort in the realm or elsewhere, and thereof be provably attainted of open deed by the people of their [own] condition."

There are other provisions one of which makes it treason to kill the king's judges.[2] Of course this statute did not abolish, but only more clearly defined the common law, which still existed where it was not inconsistent.

The Parliaments of Henry VII. and Elizabeth added somewhat; but it is unnecessary to set their enactments out here, as they did not repeal the above provisions. It may be well to say, however, that the statute of Henry VII. (11. Hen. VII. c. i.) protected those who served a king *de facto* from penalties and forfeitures.

[1] Whether what happened at Salisbury was treason or riot I reserve till Penruddock's trial, as he discusses it. It was treason against the State, according to modern American authorities, as the subversion of its government, as then constituted, was contemplated. 1 Kent's Com., 451, and American Law Mag., Jan., 1845.

[2] There was no discussion on this section.

Thus stood the law in 1655, and it being highly desirable to proceed by the more distinct "Statute in such case made and provided" the question arose, was His Highness within its protection? The Judges held he was; that it was against all laws, statutable or otherwise, to levy war against the Chief Magistrate. Perhaps in arriving at this conclusion, they considered that the letter of the law had already been departed from, in that Queen Regnants had been held within, but King Consorts without. That the original meaning of the word King was no more than the Chief elected by a nation on account of his valour. This view had been practically sanctioned, in that legitimate heirs to the throne had been set aside, both before and after the passing of the Act, with the consent or acquiescence of the nation. That the duties of the Lord Protector and a King were identical, he was head of Parliament, Generalissimo of the army, and Chief Magistrate. He initiated or sanctioned laws, and secured life and property to dwellers-at-home, and as far as possible to those who roamed abroad. This position he had obtained, in their opinion, by the will of the majority of the people of England. Had not the successors of those who originally founded the kingship, the power to change its title, without altering its nature, or their laws? 'Twas a mere quibble of names. Could it be contended that no circumstances could arise, which would justify such a course? Surely not. The necessity of the times had swept it away, and the maxim "*Rex nunquam moritur*"—at least the "*Rex*"—as understood by the Royalists, for if he lived, he was now Protector. The kingly name merely had gone, the power and duties remained, and had devolved upon His Highness; and it was for these reasons that his person was so sacred, and why all laws, human and divine, threw their shields around him.

But the question was never permitted to be argued in a court of law during the Commonwealth; and the Restoration came in due time, with its judicial assertion, after little if any discussion; that the wandering exile, Charles II., was king *de jure* and *de facto* throughout the whole of the Protector's reign. Fortunately it is practically of little value, and one we will hope, which will never be solemnly considered in this country; but should it be, I cannot help thinking

that this dictum of these Lord Commissioners of that assize, would be of great weight, viz :—that those who levy war against the Chief Magistrate of this realm, whatever his name may be (and cordially do I hope it will never be any other than the present), come within this statute.

With regard to the decision that there should be no count in the indictment for compassing or imagining the death of the Protector; it should be remembered, that there had ever been great difficulty in interpreting these words of the statute. The overt act of levying war, provided it were against the person of a King, had been held to be within it. But could the risers be said to have disclosed any direct purpose against His Highness's person? It was at least argueable; and possibly might create a flaw in a prosecution, which on no account could be permitted to fail. With regard to the Lord Chief Justice's, Mr. Baron Nicholas's, and Mr. Justice Wyndham's support to the present proceedings, and the view which they then took of the Lord Protector and his Government, it will be remembered that Cony's case had not been pushed to extremities.

After the delivery of the charge, the Judges retired, and, as we already know, dined in the evening with the Sheriff.

Next morning the court sat, and the Grand Jury brought in a true bill for treason against John Lucas, Wagstaffe, Bowles, Mompesson,[1] Andrews, and Sir Henry Moore. Of these Lucas was the only one in custody, and he was accordingly placed at the bar for trial. None of "our own correspondents" appear to have furnished the various newspapers with any detailed account of the proceedings,

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[1] Captain Crook was rewarded with £200 a-year out of this gentleman's estate. 2 Ludl., 518. Notices of this family, which is apparently extinct, will be found in Hoare's Mod. Wilts, Hund. Heyt. 218, 219. A Thomas Mompesson was M.P. for Wilton, Old and New Sarum, and the county of Wilts, 1661—1695. Another, or the same, Thomas Mompesson was a J.P. at Corton, near Heytesbury 1659.—Roll of Assize, 1659, Gaol Calendar. Western Circuit Records. Ten years later he is mentioned in the Circuit Order Book as having a dispute with Mr. Thomas Lambert, of Boyton, about the drowning of water-meadows at Boyton and Sherrington. He is there described as "of Corton, Esquire." The description given in the list, p. 166, sup., is "of New Sarum." This may be as accurate as that of Wagstaffe or St. Loe.

so we must pick what we can from the letters of Mr. Attorney-General, and others.

"Some of that crew [writes Mr. Hill*] whom we find will be good witnesses, we shall forbeare to prosecute for the present. The proofes we find very lame, our busynes haveinge not been soe well prepared for us, as it might have bene; wee shall be the more carefull and industrious to make up what is short. I believe, that many of the prisoners will confesse, the indictments and referre themselves to the mercye of his highnes.

In a posteript he adds

"Captain Collyer and his company that were sent down from you, are the most considerable witnesses we have in this place, and elsewhere.

Possibly Collyer was one of the two already mentioned as taken at South Molton. According to Major Ludlow and Mr. Huly (Hely)[1]

"there was dabing and knavery in slubering over matters in examination against gilty persons by Mr. Tucker a justis of the peace for Wilts, and by Mr. Swanton the assize clarke. That many men were [not] brought to trial. Those two justices [added Major Wansey] made it their worke to extenuate offenders faults. Major Ludlow after the first day was left out, and not sent to, to examine persons, which were in the great rebellion; one Mr. Kitson,† and his brother, both in the rising, the one in custody and brought not to trial at all. His brother, as Major Ludlow said, came lately from beyond the seas into this toune, as a secret agent. One of these brothers married Swanton Sisters' daughter, the agent fled. The sherife examined divers brought in on high suspicion secretly in his chamber the dore being kept shut."

Truly there were critics in those days. However Mr. Swanton possessed the high esteem of the Attorney-General,[2] which no doubt supported him.

But to continue the narrative; the Attorney-General wrote of the evidence :—[3]

"Collyer and Westfield (whome yow sent downe) have appeared before me and been examined, and prove to be soo materiall witnesses, as we had been lame without them; and indeed I was necessitated to respite proceedings against some of the prisoners, or else I could not have applyed this rebellious action to the most active persons; for though I could in generall prove there was a rebellion, yet that such persons were actors in it, I could not have done it, but

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* 3 Th., 365.

[1] Mr. Thomas Bingham to Thurloe, April 14th, 1655. 3 Th., 376.

† He afterwards gave information as to Mr. Willoughby having rejoined the risers near Yeovil. Th., 648.

[2] 3 Th., 378. [3] Ibid, 371.

by plowing with theire owne heyfars. But for the principall ones, we have not a thought of sparing them. For the highwaymen, they were soe cunning, as to confesse, they went after this party, thereby hoping to have drawne us on to accuse them for that, and soe not to have questioned them for the robbery; but having no other evidence than their owne confessions, which they might deny at the tryall, we thought fit rather to proceed with them upon the other."

"The evidence hath been given to the petty Jury against Lucas [writes Mr. Hill]; it spent foure houres, and was very cleere and full against him who made a very meane defence. He desired Counsell might be assigned him, but could not tell for what. I doubt not, but he will be found guilty by that jury within an hour or two, although I did not like some of the jurors questions. *

And Mr. Attorney says the length of it was occasioned, because wee were necessitated to make proofe of the first designe, the outrages in Salisbury, the proclayming the king at Blandford, and the routing them at Molton. His own examination proved and acknowledged was sufficient in itself; besides divers other witnesses applyed it to him. The evidence was full; the Court gave full and cleare direction in point of law. He produced noe witnesse, had little to say for himselfe, only pretended he was forced thither. He prayed Counsell but none was allowed, there being noe cause for it." †

Soon after the return of the court, from their midday adjournment the petty jury found him guilty.

"After that [continues Mr. Attorney] wee proceeded against three‡ in the list (against whome we had noe evidence to convict them of this rebellion) for robbery; and the petty jury found them all guilty. § Then the Grand Jury brought in *billa vera* for treason against Robert Mason, Thomas Curre, John Deane, Gabriel Pyle, John Saint Loe and John Kensey; but as to Sir John Moore *ignoramus*. Of these we had only in custody Deane and Kensey. Deane was the only sonne and childe of his mother, a young man, whome some of the court and myselfe had a mind to have made an object of your mercy and for that purpose did even woe him to confess the indictment; but it seemes the London counsell had otherwise prevayled with him, though his friends both in private and in publique were desirous of it and pressed him to it; but hee standing out, we proceeded to tryall, and the same petty jury, that were upon Lucas. were on them, and found them both guilty of high treason, and soe we closed the day [April 12th,] between 8 and 9 at night."

He adds

"my Lord Chief Justice Rolle went hence this afternoone; his sone and daughter being come hither he went to his owne house [Shapwick, near Glastonbury,] with them. Wee shall put all the rest, against whome wee intend to proceed into on

* 3 Th., 365.

† 3 Th., 371. This very clearly shews the nature of the evidence for the prosecution.

‡ These were probably Lovelace, Sweet and Harford.

§ Ibid, 372.

indictment; and wee hope to make an end tomorrow about noone, and the next day (Saturday April 14th,) to beginne our journey towards Exceter, and to lodge at Dorchester on the sabbath day." *

All the others included in the indictment with Deane and Kensey who did not appear and surrender, were to be outlawed, that their property might be seized, as their persons could not; except Sir John Moore, the bill against whom was ignored; and St. Loe, who was staying with his friend, Captain Horsington,[1] at Sarum, and never brought to trial as he had turned "Protector's evidence."

On the Friday Morning (April 13th,) the Grand Jury found true bills for high treason against Henry and Edward Zouch; John Thorpe; Henry Lawrence; John Fryer; William Willoughby; and Edmond Mackes, who were in custody; and Thomas Chivers; John Seymour; Richard Greene; and John Cotterell, who were at large.[2] The trials of those present were at once proceeded with. The Zouches and Willoughby were acquitted. With regard to one of the two former, Mr. Attorney was not well pleased at the independence of the jury.

He says

"I cannot acquit that jury for acquitinge Henry Zouche, having clear evidence against him, and being a bold confident young fellow, and likely to engage in such actions and highway robbing. I reserved Lavington and Heywood out of your list, for this fellow and some others, who testified fully and positively against him, and soe did Westfield, whom you sent from London, and in my chamber, Collier that you sent downe, and one Tarrant, that Major Boteler produced, affirmed the same; but the two last minced their evidence at the barr, saying, they were much mistaken if they saw him not. This brought a jealousie upon the rest; but if those had not been produced, the others without them would have convicted them; but labouring it seems too much in it, and endeavouring to make it very clear, because upon their examination they denied them to be in the companie of the rebells, and declared in what other particular place they were, though they offered not one tittle of proof to any one place, yet the jury some of them being neighbours untohim, acquitted them; in all other things they did well. I shall not put his highness to much charge about witnesses; all those that are suspected to be in the rising, I make to beare their own charges. I have bound divers to appeare at Exeter that knowe the prisoners there." †

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* 3 Th. 371, 372.

[1] Ibid, 374. [2] Ibid, 377.

† Ibid., 378 and 379.

We seem to be present at the trial, watching the chagrin of the Attorney-General, as the prosecution swerved, and fell through. Glynn with judicial calmness writes less strongly on the same point, "he thought the juries behaved very well," it was the evidence that shrunk from its first purity—"only one Mr. Zouche passed them a little too easy."[1] The Zouches though acquitted were bound over to keep the peace for a year, with very good securities. This perchance brought imprisonment. *Mercurius Politicus,* April 12th to 19th, says

"Two Zouches notoriously guilty and yet the petty jury acquitted, not withstanding the evidence was very full against them, specially against Henry Zouch by several witnesses; But many of the Jury told the Court they were his tenants, such good consciences we find here to spare some for favour only."

The Weekly Post, April 17th to 24th, has the same and then proceeds

"Would not a Grand Jury be requisite to examine such cases? Sure I am there are many tenants better than their landlords."

And I suppose the writer would have added, not so these Salisbury Common Jurors. In any case we appreciate the praises Serjeant Glynn gave them.

Mr. William Willoughby belonged to one of the oldest families in Dorsetshire; an off-shoot of that of the Lord Willoughby de Brook. They were in Wiltshire early in the sixteenth century, and the name still lingers as marking certain localities at West Knoyle, where they resided. If he be the William Willoughby of the Visitation of 1623,[2] and it seems probable he was, he must have been at this time over 70 years of age; for in 1623 he had a son living aged 19. His name, it will be remembered, was amongst the Commissioners originally nominated; and he was also summoned on the Grand Jury of this very assize. He had married for his second wife, Mary Green, daughter of Mr. Richard Green of Mere, and brother of the Richard included in this same indictment, and was "a fine old English gentleman" of those days.

[1] 3 Th., 379.

[2] Hoare Mod. Wilts, Hund. Mere.

The only evidence against him was that he had been with the risers at Blandford—for I pass by the story of James Tracey, the tallow-chandler of Mere, about the mysterious messenger arriving at Mr. Willoughby's house, on the Friday before the rising, with a letter for Richard Green the younger. Mr. Willoughby explained that after the Cavaliers had left Salisbury, his mother-in-law induced him to follow them and endeavour to bring her son back, that he overtook them at Blandford, failed in his object, and returned that night to his house.[1] The authorites did not know then what they knew afterwards, that the kind old man had again ridden after the Cavaliers very fast, and near Sherborne rejoined them,[2] with the same object, and succeeded; for we read in the humble petition of Richard Green, of the Middle Temple, gent, which was addressed to His Highness, the beginning of April, 1655, that he left the risers near that place:—

"Sheweth
that at Sarum your petitioner being seduced in to the late unhappy engagement against the public peace of your Highness's Government of this Commonwealth but being truly sensible of the evil of such proceedings, withdrewe himself from the party of [off *i.e.*, near] Sherborne upon monday night and voluntarily delivered himself a prisoner to Major Hansey submitting to your highness's mercy for this your petitioner's first offence."*

We may feel sure that this was the motive of Mr. Willoughby's second journey to the risers, disclosed by Mr. Kitson of Bishopston for the first time in the following summer.[3]

Whether Green heard of St. Loe's surrender, and distrusted him, we cannot tell, (St. Loe mentioned his being at the great meeting at Salisbury); for some reason he wisely escaped from Major Hansey; and was not forthcoming in the day of judgment. Mr. Willoughby was liberated, but his enemies were still hunting him some months later.[4] I rejoice to say their efforts were in vain, *non obstante* Farmer King, of Maiden Bradley, who revived the old story of his being at Blandford; and the information of the above-mentioned Mr. Kitson.

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[1] 3 Th., 378. [2] Ibid, 648. [3] Ibid, 648 [4] Ibid, 630 and 648.
* Ibid, 332.

The following examination, which relates to Mr. Willoughby, is so graphic a picture of country life in the seventeenth century, that it will be read with interest.[1]

"The examination of Richard Rowe of Homisham [Horninsham] in the County of Wilts, Turner, saith,

That he was invited by Esquire Willoughby of West nowell in the said county, to come to his house to make trenchards &c. about which worke he was employed for about 2 months or a quarter of a year before the rising at Salisbury; in which time about 14 days before the said rising, he observed a meeting of diverse gentlemen, at the said Mr. Willoughby's house to hunt the fox, which meeting continued for the space of a week, as he remembreth. He saith, they hunted the fox in the day time, and danced in the night, having a fidler with them. He further saith, that most of them wore swords at the said meeting. The names of the gentleman are as followeth: Captain Butler of Henley in the County of Dorset, and his brother; Mr. Hollis of Moncton in the County of Dorset; Mr. Langford in the County of Dorset; Mr, Hide of Hatch in the County of Wilts; Mr. Green, junior of Meere in the County of Wilts, in the late rebellion at Salisbury; Mr. John Murvin of Portwood (Pertwood) in the County of Wilts; Mr. Dorrington of East Burton in the Parish of Meere. He further saith, that he observed the said Captain Butler, Mr. Edward Hide, and Mr. William Stowerton (Stourton), son of the Lord Stowerton (Stourton), to have been severally at the said Mr. Willoughby's house at other times a little before the saide hunting match. This Examinate further saith, that the said Mr. Willoughby bought a very lusty white stone horse, of a great price, with cropt ears, a month or six weeks before the rising, which we heard say was to be rode at the hunting match. But this Examinate did not observe, that the said horse was rode by any body at the said hunting match. This Examinate further saith, that the said Mr. Willoughby and his wife, *sent** with Mr. Green senior, of Meere, and his wife rode upon the Sabbath day to Salisbury, the day before the rising there. He saith further, that the said Mr. Willoughby was tried for his life, as being one of the risers at Salisbury. He saith that the great stone horse was from home during the time of the rising at Salisbury, for two or three days; and that Mr. Willoughby who came home on Monday at night, the day the rising was (with a sword by his side) did not ride home on the same horse; but the same horse came home on the night following; and whether Mr. Willoughby and his wife rode him to Salisbury, he knoweth not. This Examinate further saith, that he was invited by Mr. Willoughby, to come to his house the evening before the rising at Salisbury, being the Sabbath day, upon pretence to go along with him to look upon trencher-work early the next morning, some twelve miles off. And this Examinate coming accordingly, Mr. Willoughby was gone to Salisbury two hours before he came; whereupon this Examinate set up his horse in the Stable, and the same night the groom ran

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[1] 3 Th., 630.

* This word is superfluous.

away with this Examinate's horse after his Master to Salisbury. He saith further, that the said groom came home on Thursday night without this Examinate's horse; and so soon as he came home, he went away and cannot be heard of since. And further this Examinate saith not, but to the truth hereof setteth his hand, the 9th day of July 1655.

This Examination was taken before ———. The Mark of Rich [R] Rowe."

Mr. Willoughby then, though to a certain extent trusted by the Government, was fond of the society of Royalists; and thereby brought his body into trouble on the present occasion. Let us hope that he and his fiddler lived to see the restoration; for we need have no anxiety, as to his finding dancer-guests. The expression, "further saith," occuring at several intervals, may be thought to shew the periods at which the examiner was pressing for information.

But we must proceed with the story of the other prisoners. Thorpe, Lawrence, and Fryer were found guilty, and Mackes pleaded guilty. "Lawrence, was a poor tenant of Penruddock's, a person of no quality or ability to do mischief, and so was induced to join; this with other circumstances might make him a subject for his highnesses mercy." Not so was John Thorpe, formerly keeper of the Salisbury Gaol, now active in breaking it open and setting the prisoners at liberty; moreover he was one of those, who seized horses and rode away with them. Lastly, he was a publican, a tree from root to branch utterly rotten. "Let him be cut down."

The *Mercurius Politicus* newspaper (April 13th to 19th) says of Laurence

"that he was a servant of Penruddock's and Fryer was a tenant, both inveigled in by him."

Edmond Mackes, the apothecary, expected pardon because he had made a clean breast of the whole matter (so he said) from the very first. But he had been too much engaged, for the Government to withdraw from prosecuting him. Again now, he confessed at the bar; so that a trial was unnecessary.

John Woodward, another of the prisoners, was convicted on a separate indictment for horse-stealing, he was deserving of no mercy thought Mr. Attorney.

"A stubborne froweard man, active in this business, and riding with them; [the risers] and the horses, for which he was convicted, taken for that purpose."

Perfect Proceedings, April 12th to 19th, 1655, says

"John Woodward was taken with an horse he had stolen at the same time and so was indicted and condemned for felony.

Of the trials of Margaret Gingell for witchcraft, Sampson Pichfatt for horse stealing, and John Dole for sheep-stealing, there are no particular notices.

It may be Gingell was acquitted. The *Every day Intelligencer*, April 19th, mentions amongst the acquittals, "A maid,"[1] but one paper says she was executed.

On Saturday morning. April 14th, the court sat before eight o'clock, for the purpose of passing sentence on the prisoners.[2] I suppose the years of war and bloodshed had somewhat blunted men's sensibilities; but few in that crowded court could have heard without emotion the awful sentence of the law, pronounced upon 15 or more fellow beings. Perchance there was then an exceeding bitter cry from Deane's mother, "O spare him, good my Lord! Oh spare him, as you would be spared! He is my only child." But the law must be vindicated. "Let that woman be removed from court." Mr. Justice Wyndham, we may conclude, enacted with feeling and dignity his most solemn and disagreeable duty. On Lucas, Dean, Kensey, Thorpe, Fryer, Lawrence, and Mackes the sentence was, that they be hanged, drawn, and quartered. The rest to be hanged. Day of execution not fixed, the reason given out was, that the Sheriff of Wilts was wanted as a witness at Exeter. The real one was that the Protector's pleasure as to reprieve might be known. And so the proceedings terminated.

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[1] There is a wholesome order to be found in one of the Western Circuit Books relating to a Wiltshire witchcraft case, which, though "wise women" and "evil-eyed men" are well-nigh extinct in these days of education; yet deserves notice. The witch is not tried but transmitted to the next assizes. The girl bewitched is still bound upon her recognizances. Then comes the order. The persons (naming them) who "incited" the girl bewitched to go to the witch, they being now absent, are to be bound over upon sufficient securities to appear at the next assize, there to abide the order of the court.

[2] 3 Th., 376.

Lord Lisle, Baron Nicholas, Serjeants Glynn and Steele, and Mr. Attorney-General passed on to Dorchester and spent Sunday, the 15th April, there. The Attorney writes to Thurloe

"I will give you a little account of some passages this day at church. Mr. Gower in his prayer after sermon, blessed God for suppressing those people, and prayed the Lord to direct the Judges that Justice might be done. Mr. Bence in his prayer in the afternoon said, that a treason was plotted, but blessed the Lord, that nothing came to execution but the traitors.*

Serjeant Glynn writes too from the same place

"It falles to my charge to manage the affayres at Exeter, where I believe there will be worke Enough. I hope God will strengthen mee to performe my duty there, accordinge to the talent that he hath bestowed upon me. I thinke that county beinge dispached, there will not much remain of the principall businesse to bee acted in Summersetshire; and therefore I hope to obteyne leave to goe streight from thence to London, which I purposse to doe, without I receive a command to the contrary (which I hope I shall not) and leave Summersetshire to the other commissioners. Mr. Recorder [Steele] gives the charge there."†

Salisbury was fast relapsing into the stillness of every-day life, when to the quarters of the soldiers, or to the White Hart Hotel there came on that Sunday the ubiquitous Disbrowe, to give the epilogue upon the tragic scenes we have just enumerated.

He writes to Thurloe:—

"Sir

I am come to Salsbury verie wearie [!]‡ I doe not perceave by any I have yet talked withall, but that the country is verie satisfied in the tryeinge of those people, and the manner of theire trial is looked uppon by the people to bee accordinge to the government, and on the accompt of the present power. . . . . Soe not haveinge any thinge else at present I rest

Your friend and servant

April 15th, 1655. JOHN DISBROWE."

It will be well to dispose of the poor Salisbury prisoners at once; lingering over such matters, is neither profitable nor agreeable. Efforts were made to save the lives of all. The prisoners themselves had presented petitions in court, which were read;[1] they made a great impression upon Mr. Attorney-General!

* 3 Th., 379.

† 3 Th., 370. Worthy of notice is the easy adaptation of such a tongue and pen as Glynn's (and with him might be named many others,) to the language of Puritanism.

‡ The note of admiration is my own. I find so many of the Protector's officers "weary" in his service. Perhaps the expression of it assisted promotion.

[1] Ibid, 378 and 379. *Mercurius Politicus*, April 12th to 19th, says Deane, Lucas, and Kensey, before sentence, preferred their petition to the court.

In the 642 volume of the King's Pamphlets, small quarto, is the following petition in MSS.—a composition of some beauty, and no little ingenuity, when we remember to whom it was addressed :—

"The humble petition of y^e^ late Risers in y^e^ West condemned at Salisbury and Exon.

Sheweth, That having y^e^ sentence of death passed upon us we cannot imagine there should be any hope left us. But when we look upon your Highnesse as our judge, and remember those honourable, pressing intercessions of your Highnesse alwaies, for y^e^ performing of articles wee then hope we may live by ours.*

My Lord, He that knowes how to owe Love, knowes how to forgive, and a victory by mercy is a double triumph charming both soule and Body by Piety aud Honour to y^e^ giving and performing any just obligation whatsoever that shall be demanded of us. Wee dare not instruct, but wee humbly sett before your Highnesses eyes, the Great Preserver of Mankind, Prince of Potentates, his remarkable Providence over us, that neither at South Molton, nor any where else; there lyes the satisfaction of any mans life upon us. May 2nd."

Of those condemned for treason, viz., Lucas, Kensey, Deane, Thorp, Lawrence, Fryer, and Mackes, the first was certainly executed, and his "fine estate" came under the ken of the Council at Whitehall. In the Draft Order Book of the Council of State, at the date May 30th, 1655, there is the following :—

"Petition of Jehosephat Lucas brother of John Lucas lately executed for rebellion; referred to a Committee &c. as being a mere matter of grace on the part of the protector.

The Committee are ordered to find out what the estate of the said John Lucas was really charged with at his death."†

In the newspapers there are the following notices :—

Perfect Proceedings, May 10th, 1655.[1]

"Tuesday, May 8th. This day came the news of the Execution of the prisoners at Salisbury, there were 7 hanged, and Margery Gingell a witch 8 in all, and Mr. John Lucas should have been executed with them, but it was suspended by the Sheriffe for a time, while he came to make application to His Highnes for him (if possible) to save his life. They were hanged about 4 o'clock in the afternoon on Thursday last [May 3rd]."

The *Mercurius Politicus* of the same date says

" at Sarum only 3 left to die—Lucas, Thorpe and Kensey. Lucas to be beheaded and the others hanged. . . Lucas is reprieved for a while by the Sheriffe who had come to London about him. Since then he is gone down to see execution performed."

* No doubt this refers to the articles claimed from Captain Unton Crook, to which allusion has already been made; and on which more will have to be said.

† State Papers, Domestic Interreg.

[1] K.P. Sm. Qo., 645.

And *Perfect Proceedings,* of May 17th, 1655

"It is advertised from Salisbury that Lucas is beheaded and that hee was very faint long looking for a pardon or a reprieve from the Lord Protector, and was still asking all that came to him, if it was come. But when he knew he must die he was exceedingly dejected, and so cast down that he was able to say very little he prayed and spake some few mournful words, and then lay down upon the scaffold and was beheaded."

Faithful Scout, Friday, May 11th :—

"The Lord Protector having taken into consideration the sentence of death pronounced against many gentlemen in the West, orders were dispatched to the sheriffs that the said sentence of drawing and quartering be altered, and the execution of such as are to die to be by beheading or hanging. And accordingly,orders were issued for execution of those condemned at the several places; viz. yesterday being Thursday at Salisbury where Mr. John Lucas, Mr. Dean, and Mr. Kinsey were all executed; who deported themselves with singular constancy, and steadfastness, and seemed to be indued with sundry admirable comforts, addressing themselves to the people as followeth.

Mr. John Lucas his speech.

Gentlemen and Friends

I am this day come hither by the goodwill and pleasure of Almighty God to pay that last dett I owe to sin, which is death; and by the blessing of that God to rise again through the merits of Jesus Christ to righteousness and life eternal; I come not here to justifie myself, but shall rather confess as the poor publican did, God be merciful to me a sinner. I desire your prayers to God for me, and I pray God for you, that no one drop of my blood may be required at any mans hands. I forgive all the world, with as full and free a heart as mortal man can; and I beseech the most high and eternal God in heaven to forgive me mine, the omnipotent Jehovah of heaven and Earth, that seeth, heareth, and beholdeth, knows that I lie not, I have desired with unfained desire and hearty affection to be dissolved and to be with Christ, knowing that it shall be better for me, being assured thereby to be freed from the miseries of sin, and enter into a life of eternal peace and happiness.

As for my accusers I pity them, and desire they may be so happy as to be taken up betimes, before they have drunk up more blood of Christian men, possibly less deserving than myself. And as for the cause in which I began to wade [warre] I must needs say it lay no scruple on my conscience, it was on principle of liberty and Freedom; and I bless God I find no blackness upon my conscience, for pursuing those wayes, nor have I put it into the bedroll of my sins.

I desire God to honour himself, in prospering that side that hath right with it, and that you may enjoy peace and plenty, when I shall enjoy peace and plenty, beyond all you possess here. For the business of death, it is a sad sentence in itself, if men consult with flesh and blood; but truly without boasting, I say it, or if I do boast I boast in the Lord, I have not to this minute had one consultation with the flesh about the ladder; or one thought of the Rope, more than as my passe port to Glory. I desire you now that you would pray for me, and not give over praying for me, till the hour of death, nor till

the moment of death, for the time is neer at hand, that as I have a great load of sins, so I may have the wings of your prayers to help those angels, that are to convey my soul to heaven, there to rejoyce with the saints and angels for evermore."

Who can tell whether Lucas was hanged or beheaded? The latter process has the best authority. To the eternal honour of the Lord Protector let it be remembered "that they were to be spared all other pains but beheading or hanging."

The speech above set out and some that follow, though they shew us a corner of the mind of the times, which could write and read such compositions; were possibly never written or spoken by the persons, to whom they are attributed. There is a laconic criticism upon them in the *Perfect Diurnall*, which may be read with advantage here.

"False copies of speeches will be largely set forth to little purpose and I fear less truth."

And so John Lucas passes from us and with our unfeigned respect, for he sacrificed life, property, and the comforts of a home in the pleasant Kennet vale, for a cause, he believed to be right. His solace in death, if he had any, "*Dulce et decorum est pro patriâ mori.*"

There were appeals too for his comrade Kensey.

Mr. Nathaniel Manton writes (London, April 15th,) to Thurloe to intercede, telling him that Kensey was drawn into the rising by Mason, a desperate fellow;[1] and had nothing to do with the design, but had simply ridden 50 miles with them; and that he would not have been condemned had he not confessed.[2]

It is also clear from the Attorney-General's letter that he confessed.

And there is a letter about him from Alderman Robert Tichborne, the orthography of which reminds us of a famous trial of to-day.

Sir

By reason of my attendance this day on the Lord Maior, I am necessitated to writt; other wise should personally a waited on you, to have intreated your favor in the behalf of on John Kansey, whoe is on his own confession condemned at Sanlisborrow to die for treason. I should not move in his behalfe, but that I am credibly informed, hee is an object fitt for his highness his mercy, his case beeinge thus. Hee was betrayed by a friend to goe with him.

[1] No doubt the Robert Mason not in custody.

[2] 3 Th., 380.

not knowinge whether [whither], into the late riseinge, and soe soone as he discovered what it was, made his escape from them with the hassard of his life; and of his being there had no other accusor but himselfe. Upon theise considerations, I thinck it not unsuteable to present him to your honor, desiringe you would improve your intrest with his highnes for a repreeve, untill his highnes may have further information from the judges at theire retourne. If it be otherwise then my information, I shall not interseade; but if this matter of fact be true I thinck his highness will not have a fitter objecte for his mercy. Your favor to him in this shall bee acknowledged by

Your honor's reall friend and servant

London, Aprill this 16th day of, 1655. ROBERT TICHBORNE."

According to all the newspapers Kensey was executed. The *Faithful Scout* as we have seen, mentions his steadfastness at the scaffold, where he is reported both by that journal and the *Perfect Proceedings* to have made the following speech. After shewing a great deal of remorse for his sins, he began by saying

"That he had deserved death both temporal and eternal. But for this thing he now died for he said it was his conscience but warned the people, that they would [should] from henceforth take up the sword for neither side, but labour to be armed with the sword of the spirit."

Upon the conclusion of his speech he declared that

"the greatnesse of this world was vanity, but for his part he depended onely on the righteousness of Jesus Christ for life and salvation." *

John Thorp was next executed. The *Proceedings* says

"he had not expression like Lucas but did read a prayer given to him in writing when he was on the ladder with the rope about his neck he called to his neighbours to have the bell rung out for him and calling on Rose, Turner, Pitman, and some others of his former companions to him, he gave them charge of his body, and charged the gaoler to deliver his written paper to the party of whom he had it. He warned his neighbours and his old companions and the rest, to serve God and keep Good Company; and said that if he had spent his time so well all his life before as he did since hee had been in prison, he had never come to this sad end.

His speech, as reported in the *Scout*, is remarkable for a publican and quondam gaoler.

"Gentlemen it is no small comfort to me that I have at this instant an assurance of salvation, and the riches and fulness of the blessed Spirit to support me in this great hour of temptation; it is my sins against God; and not my loyalty to my sovereign, that hath brought me hither, for which I desire a free remission and forgiveness as I forgive all my bitter enemies." And thus he ended his days with the tolling of the Bell which he desired might ring out, when the rope was about his neck.

* *Weekly Scout*, May 10th. † *Perfect Proceedings*, May 3rd to 10th, 1655. K.P., Sm. Qo., 645.

John Woodward followed, the same paper says

"John Woodward, another of the risers was next hanged who said nothing at all to the people, nor did anything but what was in private; and so all the rest; the highwaymen was speedily hanged one after another speaking very little." *

Did Woodward, thus silent, carry to the grave the secret of his innocence? If so, he resembled that other horse stealer of many years since, who died vicariously at Salisbury for his son-in-law. [1]

What became of John Deane? He was apparently of a better position in life, than most if not all of the condemned at Salisbury. The only child of his mother; as we have seen.

There are the following notices of him in the *Weekly Intelligencer*, May 8th, 1655:—

"Deane reprieved and in town;"

and

"Letters from Sarum that Kensey and Deane suffered last Thursday."

Cum favore vitæ we must leave him, and hope he enjoyed many another days' hunting with Lord Sands; besides the one immediately before the rising.[2]

In the Thurloe Papers is preserved Mackes' petition to the Commissioners of assize, after sentence, which tells us that

"Your petitioner the very same day as hee engaged in the rebellion, and in a fewe howers after he went forth with the partye, returned back and rendered himselfe prisoner, and went and submitted himselfe to his highnes the Lord Protector and made an ingenious confession before him and his counsell of those that were the chief actors [himself?] in the design."

He then proceeded to say that he conceived that since his submission some false information had been given against him, that he had not made a full confession, which he utterly denied in the presence of God; and concluded by a prayer to their honors to intercede with the Lord Protector for him.[3]

He appears to have had a friend in the Attorney-General, who, before the trial, wrote

"Indeed I am somewhat troubled concerning Macke; I have examined him, and can discover noe more then what he hath informed you, and doe really beleeve

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* *Perfect Proceedings*, May 3rd to 10th, 1655.

[1] Dowding's Statistics of crime in Wilts.

[2] 3 Th., 648. [3] Ibid, 375.

he knowes noe more; but having your positive order to proceed against him, wee cannot yet resolve what to doe. Wee knowe hee was the first that came in, and a very honest man of this town, that hath been active and faithfull, is very pressing to preserve him, declaring that he thinkes himself partly engaged, and the other hath merited, in that he hath discovered a greate number of pistolls and other armes, which hee thinks were designed for mischief, and by his only means hath gotten them into his possession.*

This no doubt was his staunch friend, Mr. William Eyre, of Salisbury, who wrote a letter (April 15th, 1655,) on his behalf to his friend Mr. Philip Edes, to his lodgings at Whitehall, which the latter presented to Thurloe.[1]

"Good Mr. Edes [it commences] and I should not trouble you but &c."

It tells Mackes' story that he did not join till some time after they had left Salisbury and was with them but three hours; then returned and discovered the weakness and confusion of the enemy. That he (Eyre) gave notice of these things to the judges then in town, and with their approbation he sent him to my Lord. To whom he confessed all he knew and received His Highness's gracious protection of person and property. But the Sheriff of Wilts hated him, perhaps because he had not made him the medium for petitioning His Highness; or told him about the repository of arms at Salisbury. Must a man be sacrificed to spleen? He was willing, if ought more could be proved against him, to die the worst of deaths. The Cavaliers rejoiced, good men were sad at his misery. He the first to submit and confess! 'Twas the way to make men desperate. He prayed him to do what lay in him, to further their brother Hulye's (Hely's) undertaking, in that most righteous suit.

The newspaper *Perfect Account* April 15th, 1655, says that

"Mr. Mackes apothecary is one of the condemned, but many of the inhabitants of Salisbury are interceding for a reprieve for him."

Perfect Proceedings, Thursday, April 19th, says

"Macke the apothecary pleaded guilty and hath so ingeniously confessed and is so penitent that the County are very active to beg his life.

Amongst Mr. Thomason's Collection is a pamphlet called

* 3 Th., 373.

[1] Ibid, 380.

"The Tryall and sentence of Death to be Drawn, Hanged and Quartered.
Pronounced against
Mr. Mack [Mackes] an apothecary of Salisbury
Mr. John Thorp an Innkeeper of same town
Mr. Kensey a Chiourgeon of Newbury
and Mr. Dean and Mr. Lukes of Hungerford
upon a charge of High treason for conspiring together to take up arms and raise new forces for the King of the Scots
(London G. Horton 1655) April 19th written upon it."

It contains a supposed resumé of the indictment, and the law on the subject; as that it was an offence against the Protector and the present Government by the late ordinance, &c.

Then follows the expression of the feelings of some of the prisoners. Of Mackes when reaching "the place of restraint." The pamphlet is written by some Royalist, and is of very little value; it says

"he was not tried by a jury of the country and that Mr. Heyley [Hely] and sundry other gentlemen of Salisbury are posting after the judges to get a reprieve for Mack[es]."

Finally the Attorney-General writes from Dorchester

"I am also to represent Edmond Macke[s] from them, [the Commissioners] as fit for mercy; it is conceived ill offices are done him by some at Salisbury, yet some honest people spoke to me for him, to have spared proceedings against him, though Mr. Richard Hill the Justice were one of them [who had done ill offices?]."

Mr. Hill is mentioned just before as having been faithful and active in the business.

But I must leave the fate of Mackes and the others whom I have not mentioned, in suspense, for nothing more do I know about them. "*Et jam tempus equûm jumantia solvere colla*" at the gates of Exeter Castle.

(To be Continued.)

Note.—At the time this paper was originally penned I had not had the opportunity of seeing Mr. Waylen's account of the Rising in the West, published many years ago in the *Wiltshire Independent*. It will appear, on comparison, that the present records carry our knowledge still further; and in some points necessarily differ from the view Mr. Waylen presents to us. It is a matter for regret that the whole of the valuable papers published by him in the Devizes or other newspapers have not been collected and edited with notes and references. Our debt of gratitude to him, at present large, would be vastly increased to the mutual pleasure and profit of both parties. *W. W. R.*

The Flora of Wiltshire.

COMPRISING THE

Flowering Plants and Ferns indigenous to the County.

By Thomas Bruges Flower, M.R.C.S., F.L.S., &c., &c.

No. XIV.

ORDER. AMENTIFERÆ. (LINDL.)

Plants having an amentum or catkin as their inflorescence.

Salix, (Linn.) Willow, Osier, Sallow.

Linn. Cl. xxii., Ord. i.

Named, according to Théis, from *sal, near,* and *lis, water,* in Celtic; but the Welsh and Celtic name of the tree is *helig,* the Cornish one *helak,* and the Gaelic and Irish *seileach,* from any of which *Salix* is rather derivable.

1. S. *fragilis* (Linn.) crack Willow, Withy. The young branches readily separate from the trunk in spring with the slightest blow or jerk, their bases being as brittle as glass; hence the specific name. *Engl. Bot. t.* 1807.

Locality. Damp meadows and osier grounds. *Tree Fl. April, May. Area,* 1. * 3. 4. 5. *In all the Districts but the South-middle* where it has not been recorded. A tall bushy-headed *tree,* very near the *common Willow,* whose branches are set on obliquely, somewhat crossing each other, not continued in a straight line, by which it may readily be distinguished in winter. *Branches* round, very smooth, brown, brittle in the spring, and hence the wood is of little or no value. Dr. Anderssen doubts this being indigenous in Britain.

2. S. *alba,* (Linn.) white Willow. Foliage, of a silvery grey hue; hence the name *alba. Engl. Bot. t.* 2430.

Locality. In moist meadows, and hedge-rows, in marshes, along streams. *Tree Fl. May. Area,* 1. 2. 3. 4. 5. *Frequent in all the Districts,* and one of the most common of our native Willows. *A*

tree attaining a great size, with thick, fissure bark; *branches* more erect than in S. *fragilis*, the *foliage* of an ashy-grey, or whitish colour; the *young twigs* green, purplish or bright yellow. The *golden Osier*, (S. *vitellina*) is a variety of this tree, with bright yellow branches, cultivated as an Osier.

3. S. *triandra*, (Linn.) long-leaved Triandrous Willow. *Engl. Bot. t.* 1435.

Locality. By the sides of streams, and in wet woods and osier grounds. *Tree Fl. April, May. Area*, 1. * 3. 4. 5. *In all the Districts except the South-middle*, where as yet it has not been recorded. A moderate-sized tree often flowering as a shrub. Young *branches* erect, long, tough, and pliant. Leaves always perfectly smooth, rather narrow, either pale or more frequently white underneath, but not silky. The narrower-leaved Willows generally come under the denomination of Osiers, of which this is one of the most valuable, and is much cultivated for white basket work. Several varieties are comprehended under the name of S. *triandra*.

4. S. *purpurea*, (Linn.) bitter purple Willow. *Engl. Bot. t.* 1388.

Locality. In marshy places in meadows and osier grounds. *Tree Fl. March, April. Area*, 1. * 3. 4. 5. In all the Districts *except District* 2. A small *shrub*, with purple trailing *branches*. *Leaves* glaucous, especially beneath. *Fertile catkins* singularly compact. *Anthers* in this and S. *Helix* purple, becoming at length black. β. S. *Lambertiana* (Sm.) Boyton Willow. *Engl. Bot. t.* 1359. Now considered to be a variety of the present species, S. *purpurea*, but distinguished by the glaucous, purplish hue of its twigs, leaves broader at the base, smaller catkins, and short sessile stigmas. Discovered by the late A. B. Lambert, Esq., "On the banks of the river Wily at Boyton, (District 2, 3,) for the course of 16 miles." *Engl. Flora.*

5. S. *rubra*, (Huds.) green-leaved Osier. *Engl. Bot. t.* 1145.

Locality. In low meadows and osier-holts. *Tree Fl. April, May. Area* 1. * * * 5.

South Division.

1. *South-east District.* "By the river near Salisbury," *Mr. J. Sherard.* "Ray's Synopsis." "In osier grounds near Salisbury."

"Gough's Camden." This species has been more recently confirmed by Mr. James Hussey.

North Division.

5. *North-east District.* "Neighbourhood of Marlborough." *Marlb. Nat. Hist. Report.*

Rare in the County. A small tree when *not* cut down as an Osier. *Branches* long, slender, smooth, purplish. *Leaves* of a fine grass green, and smooth on both sides, being downy when young only. This is considered a hybrid between *purpurea* and *viminalis*.

6. S. *viminalis,* (Linn.) twiggy or common Osier. *Vimen* is Latin for a twig or osier. *Engl. Bot. t.* 1898.

Locality. In wet meadows, osier-holts, and on the banks of the Avon. *Tree Fl. April, May. Area,* 1. 2. 3. 4. 5. *In all the Districts.*[1] One of the best marked species of the genus Salix, and the most frequently cultivated of all the Osiers for the use of the basket-makers. Left to itself it will become a tree of considerable size. *Leaves* very long, narrow, almost linear, acute, smooth above, silky and shining beneath, with a strong midrib. *Catkins* cylindrical, with brown, rounded, hairy scales.

7. S. *caprea,* (Linn.) Goat's or great round-leaved Sallow. *Engl. Bot. t.* 1488.

Locality. In woods, thickets, and hedges, along streams, but preferring a dry soil. *Tree Fl. April, May. Area,* 1. 2. 3. 4. 5. *General in all the Districts.* This is one of the earliest flowering of the genus. It varies very much in the size and shape of the leaves, the amount of down, which gives them a considerable thickness; but is generally distinguished from all the preceding species by the cottony, not silky, down; and wrinkled leaves, and by its larger size.

8. S. *aurita,* (Linn,) round-eared or trailing Sallow. *Engl. Bot. t.* 1487.

Locality. In moist woods, and in wet places on heaths, and commons. *Shrub Fl. April, May. Area,* 1. * 3. 4. 5. In all the Districts *but the South-middle.* A large spreading shrub. *Leaves*

[1] "Osiers—we have great plenty of them about Bemarton, &c., near Salisbury, where the osier beds doe yield four pounds per acre."—*Aubrey, Nat. Hist Wilts.*

varying in proportion in different soils, but readily recognized by their more or less convex, rugged and almost wrinkled surface, ending in a small curved point. According to Bentham and Hooker this is probably a form of S. *caprea*.

9. S. *repens*, (Linn.) dwarf creeping Willow. *Engl. Bot. t.* 183.

Locality. On sandy heaths, where the ground is rather moist. *Shrub Fl. March, April. Area*, 1. * * * *

South Division.

1. *South-east District.* "Bogs, Alderbury Common, *Dr. Maton, Nat. Hist. Wilts.*" A low, straggling shrub; the stems creeping extensively underground and rooting at the base, ascending to the height of a foot or more, taller when cultivated in rich soils; the foliage and young shoots more or less densely silky white. β. S. *fusca* (Sm.) brownish dwarf Willow. *Engl. Bot. t.* 1960. Has been observed in the neighbourhood of Salisbury, (District 1.) by *Mr. James Hussey*, and Marlborough, (District 5.) "*Marlb. Nat. Hist. Report.*" Fries thinks that S. *fusca* (Linn.) is different.[1]

Populus, (Linn.) Poplar.

Linn. Cl. xxii. Ord. vi.

Name. Populus, or the tree *of the people*, for such it was esteemed to be in the time of the Romans, or rather from *paipallow*, to *shake*, on account of the tremulous motion of the leaves.

1. P. *alba*, (Linn.) great white Poplar. Abele-tree. *Engl. Bot. t.* 1618.

Locality. Along streams, and in open moist meads, often planted. *Tree Fl. March, April. Area*, 1. 2. 3. 4. 5. *In all the Districts but not general.* A large tree, with smooth bark, and spreading branches of very rapid growth. *Leaves* angular, and generally with three

[1] We appear to have many species or varieties of this genus in the county, but not having had the opportunity of examining them with the requisite care, I have not ventured to introduce them. No genus throughout the whole vegetable kingdom is more difficult of study than *Salix*; the numerous species present, under different circumstances, so much diversity of character, that many of the most eminent botanists are undecided as to the true limits of their variation; many forms being considered mere varieties resulting from difference of soil and situation, by one party, while by another, they are exalted to the rank of species. *T. B. F.*

principal lobes, variously and unequally toothed, blunt, pointed, veiny; dark green and smooth above, and covered with a thick and remarkably white down beneath. The leaves vary very much in form, and on young luxuriant branches they are almost palmate. There are some very fine specimens of this tree at Longleat, above a hundred feet in height, and from ten to twelve and up to fifteen feet in circumference, at three or four feet from the ground.

2. P. *tremula*, (Linn.) tremulous Poplar. Aspen-tree. *Engl. Bot. t.* 1909. The petiole being long, and flattened vertically to the plane of the leaf, the latter is shaken by the slightest movement in the air, when those of other trees are at rest; hence the quivering of an aspen-leaf has become proverbial.

Locality. Damp woods. *Tree Fl. March, April. Area,* 1. 2. 3. 4. 5. *Recorded in all the Districts, but scarce in Districts* 2 *and* 5. A smaller tree than P. *alba*, with branches more slender. *Leaves* nearly orbicular, smooth on both sides, broadly toothed. *Fertile catkins* 2 inches long, hairy; their scales palmate and jagged.

3. P. *nigra*, (Linn.) black Poplar. *Engl. Bot. t.* 1910.

Locality. Banks of the Avon, and watery places. *Tree Fl. March. Area,* 1. 2. 3. 4. 5. *In all the Districts,* but scarcely indigenous. A large tree, of rapid growth, with a thick and somewhat spongy bark. *Leaves* triangular, and nearly equilateral, more or less rounded at the base; more regularly serrated than in either of the preceding species and never lobed. *Catkins* long, very loose and pendulous. The well-known *Lombardy Poplar* is believed to be a cultivated variety of the black Poplar, of Eastern origin, with erect, instead of spreading, branches.

Myrica, (Linn.) Sweet Gale.

Linn. Cl. xxii. Ord. iv.

Named from *muron*, sweet ointment, in reference to its fragrance.

1. M. *Gale*, (Linn.) Sweet Gale, Bog or Dutch Myrtle. *Engl. Bot. t.* 562.

Locality. Bogs, and moory ground. *Shrub Fl. May. Area,* 1. * * * *

South Division.

1 *South-east District.* Landford and Platford Commons.

"Alderbury," *Mr. James Hussey*. A very *local* plant, and at present confined to the *South-eastern extremity* of the county. *Stem* upright, bushy, 3 or 4 feet high. *Leaves* alternate on short stalks, obovate-lanceolate, green and smooth on both sides, covered with resinous dots, which emit a delightful fragrance when bruised. *Catkins* numerous, sessile, erect. *Berries* very small.

BETULA, (LINN.) BIRCH.

Linn. Cl. xxi. Ord. vii.

Name. Derived from *betu,* the *Celtic* name for the birch (*beath* in Gaelic.)

1. B. *alba,* (Linn.) white or common Birch. *Engl. Bot. t.* 2198. B. *glutinosa,* Fries.

Locality. In woods, especially in moist heathy situations, frequently cultivated. *Tree Fl. April, May, before the leaves are fully out. Area,* 1. 2. 3. 4. 5. *In all the Districts, but by no meaus generally distributed.*[1] One of the most hardy of *trees,* conspicuous in plantations for its white scaly *cuticle,* and when old, for the deep black clefts of its *bark.* Branches sub-divided, long, slender, pliant, and flexible, covered, when young, with a short, close down. *Leaves* alternate, egg-shaped, or slightly triangular, pointed, unequally or rather doubly serrated, smooth above, a little downy beneath; assuming a golden colour in autumn. *Catkins* terminal, stalked, pendulous; the barren flowered ones appear in the autumn at the ends of the twigs, but do not expand their flowers till the fertile ones appear in the Spring, these when ripe fall all to pieces, and scatter the numerous winged *seeds.* As an ornamental tree in landscape gardening, the Birch is one of the most beautiful we possess, exhibiting a grace and elegance in its form and foliage, that, if equalled, is not surpassed by any other of our indigenous trees, being, as Coleridge expresses it:—

"Most beautiful
Of forest trees, the Lady of the Woods."

[1] "Birch,—wee have none in North Wilts, but some (no great plenty) in South Wilts; most by the New Forest. (In the parish of Market Lavington is a pretty large coppice, which consists for the most part of birch; and from thence it is well known by the name of Birchen Coppice."—*Bishop Tanner,*) *Aubrey, Nat. Hist. Wilts.*

The *Betula alba* has been sub-divided into several species, under the names of *glutinosa, pubescens, pendula,* &c., according to the variations in the forms of the leaves and fruit.

Alnus, (Tourn.) Alder.

Linn. Cl. xxi. Ord. iv.

Named from the Celtic *al,* near; and *lan.* the river-bank.

1. A *glutinosa,* (Gaert) clammy or common Alder. *Engl. Bot. t.* 1508. *Reich Icones* xii. 641.

Locality. Banks of the Avon, wet meadows, and moist grounds by water, especially where the soil inclines to peat. *Tree Fl. March. Area,* 1. 2. 3. 4. 5. *In all the Districts.* A middle-sized *tree,* not very ornamental, though of agreeable verdure and dense shade. *Leaves* roundish-cuneiform, obtuse lobed at the margin and serrate, somewhat glutinous, downy in the axils of the nerves beneath. *Sterile catkins* long, large, and cylindrical, pendent, their *footstalks* branched. *Fertile catkins* small, ovate, with deep red scales, which are not unlike those of a miniature fir-cone.

Fagus, (Linn.) Beech.

Linn. Cl. xxi. Ord. vii.

Name. From *phago,* to eat; in allusion to the mast or nuts being used for food in early ages. Beech; from *Bece,* or *Boc,* Saxon. Johnson.

1. F. *sylvatica,* (Linn.) wood or common Beech. *Engl. Bot. t.* 1846. *Reich Icones,* xii. 639.

Locality. Woods, especially on calcareous soils. *Tree Fl. March, April. Area,* 1. 2. 3. 4. 5. *In all the Districts,* but perhaps not truly indigenous in the county,[1] *being frequently planted.* A large and noble *tree,* of combined majesty and elegance; branches widely spreading, umbrageous; *bark* pale and smooth; *wood* white and brittle. *Leaves* shortly stalked, ovate, slightly and unequally serrated, with a silky marginal fringe, and downy veins. *Catkins* or flower-heads softly silky-hairy, the *males* on slender drooping peduncles of

[1] "None in Wilts except at Groveley. (In the wood belonging to Mr. Samwell's farm at Market Lavington are three very large beeches."—*Bishop Tanner.*)

about a dozen flowers. *Fertile* ones above them, solitary on stouter stalks. *Fruiting catkin* clothed with simple pliant prickles, containing two or three triangular nuts commonly called mast. On our downs the Beech seems to thrive better than almost any other tree, even where the chalk is barely covered with soil. In Tottenham Park and Savernake Forest it may be observed in the greatest numbers, and of great size and beauty. The grand Avenue through which you enter from Marlborough is composed principally of Beech trees, and is perhaps the finest in England. In Longleat, Bowood, and Roundway Park, are many handsome specimens of this graceful tree. Several varieties of the Beech are met with in our parks, and shrubberies, of which the fern-leaved Beech whose leaves are almost linear, and the Copper Beech, are the most remarkable.

Quercus, (Linn.) Oak.

Linn. Cl. xxi. Ord. vii.

Named from *quer*, fine, and *cuez*, a tree, (Celtic) according to Lepelletier.

1. Q. *robur*, (Linn.) common British Oak. *Robur* is a Latin substantive signifying strength and durability. *Engl. Bot. t.* 1342.

Locality. Woods and hedges. *Tree Fl. April, May. Area,* 1. 2. 3. 4. 5. *Distributed throughout all the Districts,*[1] though doubtless planted in many of its stations. A large and very handsome tree, growing to the height of 50 or even 100 feet, with a rough bark

[1] "Oakes (the best of trees).—Wee had great plenty before the disafforestations. Wee had in North Wiltshire, and yet have, though not in the former plenty, as good oakes as any in England. The best that we have now (1670) are at Okesey Parke, Sir Edmond Poole's in Malmesbury hundred; and the oakes at Easton Piers (once mine) were, for the number, not inferior to them. In my great-grandfather Lite's time (15—) one might have driven a plough over every oake in the oake-close, which are now grown stately trees. The great oake by the day-house is the biggest oake now, I believe in all the countie. There is a commonwealth of rooks there. When I was a boy the two greatest oakes were, one on the hill at the Park at Draycot Cerne; the other at Mr. Saddler's at Langley-Burrell. 'Twas one of these trees, I remember that the trough of the paper mill at Longdeane in the parish of Yatton Keynell, anno 1636, was made. In Garsden Parke (now the Lord Ferrar's) is perhaps the finest hollow-oake in England; it is not high, but very capacious, and well wainscotted; with a little table, which I thinke eight may sitt round."—*Aubrey, Nat. Hist. Wilts.*

and widely-spreading branches, and when standing singly, with a head often broader than it is high. *Leaves* deciduous, oblong, wider towards the extremity, sinuses rather acute; lobes blunt, glabrous when old, somewhat shining, pubescent beneath when young. *Flowers* monœcious, the males in slender pendulous catkins, or spikes. *Females* solitary or clustered, oblong ovoid, or globular, becoming much enlarged and hardened, constituting the well-known permanent cup of the smooth *nut*, or *acorn*. It varies much both in foliage, and inflorescence, and two permanent forms may be observed in the county. *a.* Q. *sessiliflora*, Sm; leaves petioled, peduncles very short. *β.* Q. *pedunculata*, Ehrh., leaves sessile, peduncles long, this last variety being the more frequently distributed of the two. With us the Oak is certainly one of our most beautiful trees and frequently attains a size hardly to be surpassed in England. At *Savernake Forest*, and *Tottenham Park* numberless oaks will be found of from fifteen up to twenty feet and more in circumference, and of great height. Of these two may be particularly mentioned:—the "King's Oak." and the "Duke's Vaunt," each measuring at five feet from the ground, about twenty-five feet in circumference. Longleat and Bowood also afford noble specimens of all ages, and almost of all sizes. In Spye Park are a number of venerable relics, some of immense size and apparently sound, measuring from twenty to twenty-four or twenty-five feet in circumference. But doubtless our readers have each their favourites in their own immediate neighbourhoods. Among the most frequent exotic species in our plantations may be mentioned, the *Quercus ilex*, Q. *suber*, Q. *cerris*, and the Q. *rubra*.

Corylus, (Linn.) Hazel.

Linn. Cl. xxi. Ord. vii.

An old Latin word; from *corus*, a helmet, which the hazel-nut resembles in form.

1. C. *Avellana*, (Linn.) Hazel-nut; *Avellana* is properly the Filbert, so named from Avella, a town of Campania, from whence it was introduced. *Engl. Bot. t.* 301.

Locality. Hedges and copses. *Shrub Fl. March, April. Area*, 1. 2. 3. 4. 5. *Common in all the Districts.* A shrub, or sometimes

a small tree. *Leaves* obovate, or orbicular. *Male catkins* drooping, about 2 inches long. *Female flowers* in ovoid buds. Stigmas bright crimson. After flowering the minute inner bracts enlarge very rapidly, so as to form the leafy involucre, commonly called the husk of the nut.

CARPINUS, (LINN.) HORNBEAM.

Linn. Cl. xxi. Ord. vii.

Named from *car,* wood, and *pin,* a head, in Celtic; the wood having been employed to make yokes for oxen. The English "*hornbeam*" has the same signification.

1. C. *betulus,* (Linn.) common Hornbeam. *Engl, Bot. t.* 2032.

Locality. In woods and hedges, on a meagre, damp, tenaceous soil. *Tree Fl. May. Area,* 1. 2. 3. 4. 5. *In all the Districts, but perhaps not truly wild.* Rather a small *tree,* with somewhat the habit of an *elm.* Leaves stalked, ovate, acute, of which the veins are somewhat hairy, and which are beautifully plaited when young. *Male catkins* sessile, about 1½ inches long *Female catkins* slender, the fruiting ones often several inches long, and conspicuous for their long, leaf-like bracts. *Nut* small, ovoid, with prominent ribs. The wood of this tree is very tough and hard, and applicable to various purposes, it is much employed in the county in the construction of agricultural implements.

ORDER CONIFERÆ.

TAXUS, (LINN.) YEW.

Linn. Cl. xii. Ord. vi. (Juss.)

Name. From *toxon,* Gr., a bow; it being long celebrated as the best material for making those formidable implements.

1. T. *baccata,* (Linn.) berried Yew. Common Yew. *Engl. Bot. t.* 746.

Locality. Mountainous woods, and limestone cliffs. *Tree Fl. March, April. Area,* 1. 2. 3. 4. 5. *In all the Districts apparently indigenous,*[1] though having been much planted in early times. A

[1] "Eugh-trees grow wild about Winterslow. Between Knighton Ashes and Downton the ground produces them all along; but at Newton they are a wood. At Ewbridge in the parish of Colern, in North Wilts, they also grow indifferently plentifull; and in the parish of Kington St. Michael, I remember three or four in the stone brash and red earth."—*Aubrey, Nat. Hist. Wilts.*

large tree, of no great height, but often of vast circumference, and of very slow growth, the branches long, spreading, and often drooping at their extremities, ascending or sub-erect. *Leaves* numerous, scattered, spreading in opposite directions, convex and shining on the upper side. *Catkins* very small, in the axils of the leaves. *Fruit* drooping, consisting of a sweet, internally glutinous, scarlet *berry* or *drupe*, esteemed poisonous, open at the top, enclosing an oval brown *seed*, unconnected with the fleshy part. The Yew is remarkable for its longevity, and a valuable paper on this subject has been written by J. E. Bowman, Esq., in Loudon's "*Magazine of Natural History*," to which I would particularly refer the student.

Juniperus, (Linn.) Juniper.

Linn. Cl. xxii. Ord- viii.

Name. From *jeneprus*, Celtic, rude or rough.

1. J. *communis*, (Linn.) common Juniper. *Engl. Bot. t.* 1100.

Locality. On dry hills, especially on a calcareous soil. *Shrub Fl. May. Area*, 1. 2. * 4. 5.

South Division.

1. *South-east District.* "Pewsey Downs," *Rev. T. F. Ravenshaw.*
2. *South-middle District.* In plenty on Warminster Downs.

North Division.

4. *North-west District.* On the west side of Monkton Farley Hill.
5. *North-east District.* Heddington and Roundway Hill, near Devizes. "Martinsell," and "Down above Rainscombe," *Flor. Marlb.*

A low, evergreen, bushy *shrub*, extremely variable in size, bearing numerous linear, mucronate, and pungent *leaves*. *Flowers* axillary, small. *Berries* bluish-black, the size of a large pea. In a wild state this is usually a low shrub, but when cultivated it will attain the height of 10 or more feet; and Mr. Loudon, in his excellent *Arboretum Fruticetum Britannicum*, records a tree of this species at Wardour Castle, which is 30 feet high, and is supposed to be the largest in England.

CLASS II.

Monocotyledones or Endogenæ.

ORDER. TRILLIACEÆ. (DE-CAND.)

PARIS, (LINN.) HERB PARIS.

Linn. Cl. viii. Ord. iv.

Name, From *par,* (Lat.) equal; in allusion to the remarkable regularity, as well as numerical correspondence of all the parts of this plant.

1. P. *quadrifolia,* (Linn.) four-leaved Herb Paris. True-love. One-berry. The plant has occasionally five leaves, and sometimes six, but four is the common number. *Engl. Bot. t.* 7.

Locality. Damp woods. *P. Fl. May. Area,* 1. * 3. 4. 5. *In all the Districts (except the South-middle),* where it has not as yet *been* observed. *Stem* one foot high, with 4, rarely 3 or 5, whorled, large ovate, *acute* leaves at its summit, the rest leafless. *Flower* single terminal, on a foot-stalk about 2 inches long. *Sepals* lanceolate. *Petals* subulate. *Berry* of a bluish-black colour. This plant, "more curious than beautiful," is particularly interesting to the Botanical student in exhibiting a connection between the Monocotyledonous, and Dicotyledonous Divisions of the Vegetable Kingdom. The former division is characterized (among other peculiarities) by having the veins of the leaves running parrallel to each other, without intermediate reticulation, either from the base to the apex, as in Iris, Lily of the Valley, Grasses, &c., or from the midrib, at right angles, towards the margin, as in the Plantain-tree *(Musa paradisiaca).* The Dicotyledonous Division, on the contrary, exhibits a reticulated venation, as is exhibited in the Rose, Apple, and other trees and plants. The Paris being a Monocotyledonous plant, is, however, furnished with leaves which present an approach to the uniform arborization of the veins or sap vessels (as they should be more correctly called) resembling that which characterizes the Dicotyledons.

ORDER. DIOSCOREACEÆ. (R. BROWN.)

Tamus, (Linn.) Black Bryony.

Linn. Cl. xxii. Ord. vi

Name. Given by Columella to a plant resembling a vine, and supposed to be the *Uva Taminia* of Pliny.

1. T. *communis,* (Linn.) common Black Bryony. *Engl. Bot. t.* 91.

Locality. Hedges and bushy places. *P. Fl. May, June. Area,* 1. 2. 3. 4. 5. *Recorded in all the Districts.* An elegant climber, twining to a considerable length over hedges and bushes. *Flowers* yellowish-green, small, the males in slender racemes, often branched and longer than the leaves; the females in much shorter and closer racemes. *Berries* red, often very numerous.

ORDER. HYDROCHARIDACÆ. (JUSS.)

Anacharis, (Rich.) Water Thyme.

Cl. xxii. Ord. i.

Named from *ana,* without, and *charis,* elegance; apparently in contrast to the next genus.

1. A. *Alsinastrum,* (Bab.) long flowered Anacharis. *Bab. in Ann. Nat. Hist. ser.* 2, 1, *p.* 83, *t.* 8. *Engl. Bot. Suppl. t.* 2993. *Elodea canadensis* (Benth).

Locality. In the Upper and Lower Avon, Kennet and Avon Canal, ponds and ditches. *P. Fl. July, September. Area,* 1. 2. 3. 4. 5. *In all the Districts introduced, now too generally diffused.* A dark green, much branched perennial, entirely floating under water. *Leaves* numerous in verticils of 3 (more rarely 4) or the lower ones opposite, oval, or linear oblong, very finely and obscurely serrulate. *Female flowers,* the only ones known in this country, sessile in the upper axils, in a small two-lobed spatha; but with a very long, slender tube, often two or three inches long, so as to attain the surface of the water, where it terminates in three spreading segments. *Male flowers* unknown in England.

ORDER. ORCHIDACEÆ. (JUSS.)

Orchis, (Linn.) Orchis.

Linn. Cl. xx. Ord. i.

Name. Orchis, an ancient appellation of plants, with a double tuberous root.

1. O. *Morio,* (Linn.) fool's Orchis, or green winged meadow Orchis. Morio is Latin for a fool, or jester. *Engl. Bot. t.* 2059. *Reich Icones,* xiii. *t.* 363.

Locality. Meadows and pastures, chiefly on clay. *P. Fl. May, June. Area,* 1. 2. 3. 4. 5. *Not uncommonly distributed throughout all the Districts. Stem* from one span to one foot high. *Flowers* few in a lax spike, dark crimson-purple, with the sepals more or less distinctly marked with greenish lines. *Lip* purple, pale in the middle with purple spots, rarely the flowers are flesh-coloured or white.

2. O. *mascula,* (Linn.) male or early purple Orchis. *Engl. Bot. Suppl. t.* 2995. *Reich Icones,* xiii. *t.* 390.

Locality. Bushy places, and borders of woods, *P. Fl. June. Area,* 1. 2. 3. 4. 5. *Frequent in all the Districts. Stem* one foot high. *Leaves* generally marked with dark purple spots. *Flowers* in a lax oblong *spike,* purple, sometimes fragrant; centre of the lip whitish at the base, spotted and downy. *Sepals* and *petals* without green veins.

3. O. *ustulata,* (Linn.) scorched or dwarf dark-winged Orchis. *Ustulatus* (Lat.) signifies scorched, in allusion to the purplish-brown calyx, which gives the plant a burnt or scorched appearance. *Engl. Bot. t.* 18. *Reich Icones,* xiii. 368.

Locality. On dry hilly chalky pastures, and calcareous hills. *P. Fl. June. Area,* 1. 2. 3. 4. 5. *Distributed more or less throughout all the Districts.*

South Division.

1. *South-east District.* "Whiteparish Hill," *Rev. E. Simms.* "Neighbourhood of Salisbury," *Mr. James Hussey.* "On the chalk hills near Laverstock," *Mr. Lake.* "*Maton's Nat. Hist. Wilts.*" "Amesbury," *Dr. Southby.* "Pewsey Downs," *Flor. Marlb.*

2. *South-middle District.* Scratchbury Camp, and Westbury Downs. "Salisbury Plain, particularly about the Barrows near Stonehenge," *Bot. Guide.*

3. *South-west District.* Clay Hill and Warminster Downs.

North Division.

4. *North-west District.* Meadows at South Wraxhall.

5. *North-east District.* Roundway Down near Devizes. "Martinsell Hill," *Flor. Marlb.* *Stem* 4 to 5 inches high. *Lip* white, with purple spots, while the rest of the flower is a dark, dingy purple. *Leaves* lanceolate, acute.

4. O. *maculata,* (Linn.) spotted palmate Orchis. *Engl. Bot. t.* 632. *Reich Icones,* xiii. 407.

Locality. Damp woods and pastures. *P. Fl. May, June.* *Area,* 1. 2. 3. 4. 5. *Recorded in all the Districts.* A foot high, slender. *Stem* usually solid. *Leaves* white or pale purple, more or less spotted or streaked, especially the *lip.* *Spur* rather slender.

5. O. *latifolia,* (Linn.) broad-leaved or marsh Orchis. *Engl. Bot. Suppl. t.* 2973. *Reich Icones,* xiii. 402.

Locality. Marshes and moist meadows. *P. Fl. May, June,* *Area,* 1. 2. 3. 4. 5. *In all the Districts, but locally distributed.* *Stem* usually hollow. *Flowers* varying from pale rose-colour to crimson and deep purple, the lip dotted and marked with purple lines. This species is known by its slightly lobed *lip,* with reflexed sides, and by the *bracteas,* which are leafy and longer than the *germen.* O. *incarnata* (Linn.), *Reich Icones,* xiii. 397, O. *latifolia, Engl. Bot. t.* 2308, *Curt.* ii. 184, comes very near to the present species, (O. *latifolia*) from which it differs in the leaves, being usually more lanceolate, broadest near the base, acute, slightly hooded at the apex, unspotted, blunt. *Flowers* usually very pale purple with darker lines. This form has been observed in the neighbourhood of Marlborough, and will doubtless prove to be not uncommon in other parts of the county, when attention has once been directed to it. The younger Reichenbach describes the testa of the seeds as differing from that of O. *latifolia.*

6. O. *pyramidalis,* (Linn.) pyramidal Orchis. *Engl. Bot. t.* 110.

Locality. On downs, banks, and borders of fields, on chalky and limestone soils. *P. Fl. July.* *Area,* 1. 2. 3. 4. 5. *Not unfrequent throughout the Districts.* *Leaves* very much acuminated, rather glossy, without spots. *Flowers* crowded, and forming at first a dense pyramidal spike; usually of a bright purplish rose-colour, rarely white. This latter variety I have sometimes met with on our "Downs."

Gymnadenia, (R. Br.) Gymnadenia.

Linn. Cl. xx. Ord. i.

Name. A word compounded of *gymnos,* naked, and *aden,* a gland; in allusion to the naked glands of the pollen masses.

1. G. *conopsea,* (R. Br.) gnat-like flowered, or fragrant Gymnadenia. *Conopsea* from (*conops,*) a gnat. *Orchis,* Sm. *Engl. Bot. t.* 10.

Locality. Hilly pastures, especially on chalky or calcareous soils. *P. Fl. June, July. Area,* 1. 2. 3. 4. 5. *In all the Districts not unfrequent. Stem* rather slender, about one foot high. *Leaves* linear, lanceolate, somewhat keeled. *Flowers* in a rather dense linear spike, rose-purple, highly fragrant, remarkable for their long filiform spur. *Upper calyx-leaves and petals* forming a head. *Lip* without spots, the segments rounded. The cell of the anthers being perforated at the base, exhibit the large oblong glands of the pollen stalks.

Habenaria, (R. Br.) Habenaria.

Linn. Cl. xx. Ord. i.

Name. From *habena,* (Lat.) a rein or leather strap; in allusion to the long spur of the flower.

1. H. *viridis,* (R. Br.) green Habenaria, Frog-Orchis. *Orchis,* Smith. *Engl. Bot. t.* 94. *Reich Icones,* xiii, 434. *Peristylus* Lindl.

Locality. In meadows and hilly pastures. *P. Fl. June, July. Area,* 1. 2. 3. 4. 5. *Observed in all the Districts, but rather local. Stem* 6 to 8 inches high; lower *leaves* nearly ovate, obtuse; *outer* and lateral *inner sepals* connivent and forming a helmet, green. *Lip* small, greenish-brown. This species is sometimes observed on our Wiltshire downs, exceedingly diminutive in size.

2. H. *bifolia,* (R. Br.) two-leaved Habenaria, or smaller Butterfly Orchis. *Engl. Bot. Suppl. t.* 2806. *Reich Icones,* xiii. 429.

Locality. In meadows, pastures, heaths, and open meads. *P. Fl. June, July. Area,* 1. 2. 3. 4. 5. *In all the Districts. Much smaller than the next species. Leaves* 2, rarely 3, oblong, spreading, very bright and shining. *Bracteas* lanceolate, about as long as the germen, one to each flower, and several larger ones scattered on the stem. *Flowers* in a large spike, white with a greenish tinge, fewer and much smaller than in H. *chlorantha. Anther* truncate or slighty

emarginate, rarely somewhat rounded at the top, its cells nearly parallel throughout their whole length; the longitudinal central line between the cells being a deep furrow in front and a keel behind. *Stigma* rather broad, truncate, folded so as to leave a channel between its pointed lobes, the middle emarginate. The difference between the present and the next species has been ably illustrated by Professor Babington in *Linn. Trans.* xvii. *p.* 463, and *Engl. Bot. Suppl. t.* 2806.

3. H. *chlorantha,* (Bab.) yellow Butterfly Habenaria. Great Butterfly Orchis. *Chlorantha,* from *chloros,* greenish-white, and *anthos,* a flower. *Orchis bifolia,* Smith. *Engl. Bot. t.* 22. H. *montana. Reich Icones,* xiii. 430.

Locality. On pastures, grassy banks, and open places in woods. *P. Fl. May, June. Area,* 1. 2. 3. 4. 5. *In all the Districts.* Very similar to the last species, H. *bifolia,* but larger in all its parts; it is known from it by its generally greater height; much larger and broader flowers, of a purer white; thicker, more compressed and somewhat club-shaped spur; and especially by the greater divergence of the anthers, whose bases are so far apart that, were the apex of each cell produced till they met, a nearly equilateral-triangle would be described by their union. This is far the more common species in the county, and the time of flowering is considerably earlier.

Ophrys, (Linn.) Ophrys.

Linn. Cl. xx. Ord. i.

Named from *ophrus,* the eyebrow; doubtless from the hairy lumps at the base of the lateral lobes of the labellum in some of the commoner species.

1. O. *apifera,* (Huds.) Bee Orchis; from *apis,* (Lat.) a bee, and *fero,* to bear, in allusion to the convex, velvetty lip of the corolla, of a deep brownish purple, variegated with yellow, not inaptly resembling the body of a humble bee. *Engl. Bot. t.* 383.

Locality. Chalk-pits and chalky pastures, occasionally also on clay. *P. Fl. June, July. Area,* 1. 2. 3. 4. 5.

South Division.

1. *South-east District.* "Whiteparish Hill," *Rev. E. Simms.* "Trenches at Old Sarum," *Botanists' Guide.*

2. *South-middle District.* "Chalk-pits near the Race-course, Salisbury," *Mr. H. Hatcher.* Barrows about Stonehenge. Rams Hill, near Lavington. Westbury Downs and Scratchbury Camp.

3. *South-west District.* Norton Bavant, Clay-hill and Warminster Downs. "Odstock," *Maton's Nat. Hist. Wilts.*

North Division.

4. *North-west District.* Middle Hill, near Box, Rudloe, Corsham. "Chippenham," *Dr. R. C. Prior.* Below the rocks on Monkton Farley Down. Winsley, Bradford. Sandridge, near Melksham.

5. *North-east District.* Roundway Hill, near Devizes. Broad Hinton. "Marlborough," *Rev. T. Preston. Tubers* roundish. *Stem* 6 to 9 inches high, leafy. *Flowers* large. *Calyx* purplish. *Petals* small, oblong, greenish-white. *Lip* convex, velvetty, of a deep-brownish purple variegated with yellow, not unaptly resembling the body of the Humming Bee.

2. O. *muscifera,* (Huds.) fly Ophrys, *from musca,* a fly, and *fero,* to bear, in allusion to the form of the flower. *Engl, Bot. t.* 64. *Reich Icones,* xiii. 447, *St.* 40, 15.

Locality. In rather moist and shady places, on chalk. *P. Fl. May, June. Area,* 1. 2. * 4. 5.

South Division.

1, *South-east District.* "Whiteparish Hill." *Rev. E. Simms.*

2. *South-middle District.* Chalk-pits near the Race-course, Salisbury in company with O. *apifera, Mr. H. Hatcher.* "Westbury Downs," *Miss Overbury.*

North Division.

4. *North-west District.* Woods at Box. Hazelbury. Kingsdown. Rudloe, and Weevern Mill. "Chippenham," *Dr. R. C. Prior.*

5. *North-east District.* Plantations on Roundway Hill. It is impossible to confound this with any of the preceding, from which it is well distinguished by its very slender, lateral *petals,* which resemble the antenæ of an insect, and by its narrow *lip,* two-lobed at the extremity, and having a broad pale bluish spot in the centre. This species has not as yet been observed in *District* 3.

[3. O. *aranifera,* (Huds.) early Spider Orchis. *Engl. Bot. t.*

2649. Was found some years since "On dry hills about Winsley," (*District* 4) by *the late Mr. John Jelly,* and recorded by him in his unpublished MS. *Flora of Bath.* This plant has been repeatedly searched for by myself and other botanists, in the above locality, without being successful in finding it. Ashlington Hill is also given as a station for this species by *the late Rev. John Offer,* in his MS. *list of plants for Wilts.* It would be desirable to have O. *aranifera* again searched for in the county.]

HERMINIUM, (R. BR.) MUSK ORCHIS.

Linn. Cl. xx. Ord. i.

Name. A diminutive of *hermin,* the leg of a bed, which the column of anthers is supposed to resemble.

1. H. *monorchis* (R. Br.) single-bulbed or green musk Orchis. *Engl. Bot. t.* 71.

Locality. In old grassy chalk-pits, and pastures. *P. Fl. June, July. Area,* * * 3. 4. 5.

South Division.

3. *South-west District.* Not uncommon in Great Ridge Wood.

North Division.

4. *North-west District.* "On hill-side near Weevern Mill," *Mr. C. E. Broome.* "Castle Coombe," *Mr. Davis.*

5. *North-east District.* Roundway Hill. "Martinsell Hill," *Flor. Marlb. Not common in Wilts, and rather locally distributed.* A slender plant, about 6 inches high, with 2 or 3 oblong lanceolate radical leaves. Tubers nearly globular, like those of an *Orchis. Spike* slender, with numerous small, yellowish-green flowers.

SPIRANTHES, (RICH.) LADY'S TRESSES.

Linn. Cl. xx. Ord. i.

The *Name* of this genus of plants, is derived from *speira,* a spiral, and *anthos,* a flower, or *inflorescence.*

1. S. *autumnalis,* (Rich.) autumnal Ladies'-Tresses. *Engl. Bot. t.* 541. *Neottia,* Sm.

Locality. In pastures and on banks, on chalk and limestone soils. *P. Fl. August, September. Area,* 1. * * 4. 5.

South Division.

1. *South-east District.* "Whiteparish Hill," and "The Cottage Field, Landford," *Rev. E. Simms.* "Laverstock Down, Salisbury," *Dr. Smith.*[1] "Old Sarum," *Mr. James Hussey.* "Field between Great Bedwyn and Shalbourne," *Mr. Reeks.*

North Division.

4. *North-west District.* In a dry pasture between Rowde and Bromham. "Heath, Kington St. Michael," *Rev. E. Rowlandson.*

5. *North-east District.* Roundway Hill, Devizes. "Between Four and Five Mile Clumps," *Marlb. Nat. Hist. Report.* "Great Bedwyn," *Mr. William Bartlett. Rather a local plant in Wilts,* and *not* as yet observed in Districts 2 and 3, where it can scarcely be absent. *Tubers* of the root 1 to 3, very unequal, downy. *Stems* 3 to 8 inches high, clothed with sheathing pointed bracteas, their surface crystalline and shiny. *Leaves* radical, ovate lanceolate, glabrous, acute, ribbed. *Flowers* in a close twisted spike, mostly inclining downwards, greenish-white, fragrant. This species is very uncertain in its appearance.

LISTERA, (R. BR.) TWAY-BLADE.

Linn. Cl. xx. Ord. i.

Name. After Martin Lister, a celebrated physician and naturalist.

1. L. *ovata,* (R. Br.) ovate-leaved or common Tway-blade. *Engl. Bot. t.* 1548. *St.* 29, 14.

Locality. In moist woods, groves, and thickets, and under trees in damp and shady pastures. *P. Fl. May, June. Area,* 1.2.3.4.5. *Recorded in all the Districts,* common. *Stem* about one foot high. *Leaves* two, opposite, ovate, large. *Spike* long, very lax. *Flowers* distant, small, yellowish-green.

NEOTTIA, (LINN.) BIRD'S-NEST.

Linn. Cl. xx. Ord. i.

Name. Neottia is Greek, as *nidus avis* is Latin for a bird's nest,

[1] This gentleman, in 1817, commenced a periodical work under the title of *Flora Sarisburiensis,* which was intended to describe and illustrate those plants growing in the vicinity of Salisbury; he was not, however, sufficiently encouraged in his undertaking, and only four numbers of the "*Flora*" were published. *T. B. F.*

which the matted roots of some of the species are supposed to resemble.

1. N. *Nidus-avis,* (Rich.) Bird's nest Orchis. *Engl. Bot. t.* 48. *Listera,* Sm.

Locality. Dark woods, especially Beech, on rather a dry or chalky soil. *P. Fl. June. Area,* 1. * 3. 4. 5.

South Division.

1. *South-east District.* "Batts-croft, Whiteparish," *Rev. E. Simms.* "Clarendon Woods," *Bot. Guide.* "Winterslow Woods," *Dr. Maton, Nat. Hist. Wilts.*

3. *South-west District.* Norridge Wood, near Warminster. Woods at Longleat and Corsley. "Berwick St. John," *Mr. James Hussey.*

North Division.

4. *North-west District.* Woods at Bowood. "Rudlow and Bowden Hill," *Mr. C. E. Broome.*

5. *North-east District.* "Damp copses near Pewsey." "Field near Martinsell." "Manton Copse." "West Woods." "Great Bedwyn," and Rabley Copse," *Flor. Marlb. Root* of many short, thick, densely aggregated fleshy fibres. *Stem* 1 foot high. *Flowers* spiked, of a dingy brown. *Calyx-leaves* and lateral *petals* oblong, oval, nearly equal. *Lobes* of the *lip* spreading. This is the original *Neottia* of Linnæus. *Act. Ups.* 1740. p. 33.

EPIPACTIS, (RICH) HELLEBORINE.

Linn. Cl. xx., Ord. i.

Name. Derived from *epi,* (Gr.) upon, and *paktis,* (Gr.) a pointed elevation, from the anther being placed on the summit of the column.

1. E. *latifolia,* (All.) broad-leaved Helleborine. *Engl. Bot. t.* 269.

Locality. Woods and groves. *P. Fl. August. Area,* 1. * 3. 4. 5.

South Division.

1. *South-east District.* Whiteparish Hill. "Amesbury," *Dr. Southby.*

3. *South-west District.* Longleat Woods. Norridge Wood, near Warminster and Corsley. "Ashcombe," *Mr. James Hussey.*

North Division.

4. *North-west District.* Moist Woods about Bradford. Fir

plantations on Roundway Hill. Woods at Bowood. "Near the Quarry at Conkwell," *Dr. Alexander Prior.* "Rudlow," *Mr. C. E. Broome.*

5. *North-east District.* "Manton Copse and Savernake Forest," *Flor. Marlb. Not an uncommon plant in the county,* but occurring sparingly in all the localities. *Root* creeping, with long fibres. *Stem* 1 to 3 feet high; upper *leaves* lanceolate. *Flowers* in a very long, lax *spike,* greenish-purple, but varying much in intensity, sometimes dark purple.

2. E. *palustris,* (Sw.) marsh Helleborine. *Engl. Bot. t.* 270.

Locality. In wet springy ground, on a sandy or chalky soil. *P. Fl. July, August. Area,* * * * 4. *

North Division.

4. *North-west District.* In a marsh near the bogs on Kingsdown. Bowood but rare. *A local and rare plant in Wilts. Stem* 1 foot high, purplish above. *Calyx* purple-green; lateral *petals,* and *lip* white, with rose-coloured streaks at the base.

CEPHALANTHERA, (RICH.) HELLEBORINE.

Linn. Cl. xxi. Ord. i.

This genus derives its name from *kephalè,* the head; and *anthera,* anther.

1. C. *grandiflora,* (Bab.) large white Helleborine. *Engl. Bot. t.* 271. C. *pallens, Koch.*

Locality. Dry woods, usually on a calcareous soil. *P. Fl. June. Area,* 1. 2. 3. 4. 5.

South Division.

1. *South-east District.* "Abundantly in hanging woods near Winterslow; also in the plantations near Trafalgar Park," *Dr. Maton, Nat. Hist. Wilts.* "Salisbury," *Mr. James Hussey.* "Amesbury," *Dr. Southby.* "Martin," *Mr. Reeks.*

2. *South-middle District.* "Imber little wood," *Rev. John Offer.* "Near Westbury," *Miss Overbury.*

3. *South-west District.* "Asheombe," *Mr. James Hussey.* Southley Wood, near Warminster, and Longleat.

North Division.

4. *North-west District.* Woods at Bowood. "Chippenham,"

Dr. R. C. Prior. "Woods at Rudlow and Box," *Mr. C. E. Broome.*

5. *North-east District.* In the Beech Woods on Roundway Hill. "Roundhill Copse," *Flor. Marlb. Not common in Wilts. Stem* a foot or more high. *Flowers* remote, racemouse, quite erect; *sepals* all nearly equal, large, oblong-ovate, obtuse, cream coloured, concave, including the small *up,* which is also white, but yellowish within.

[C. *ensifolia,* (Rich.) sword or narrow-leaved white Helleborine, *Engl, Bot. t.* 494, has been observed by the *Rev. E. Simms.* at Whiteparish Hill, *(South-east District.)* I have not seen any examples.]

ORDER. IRIDACEÆ. (JUSS.)

Iris, (Linn.) Flag.

Linn. Cl. iii. Ord. i.

Name. Iris is Greek for a rainbow; and applied to the plant in reference to the brilliancy of its colours, and the graceful curve of its petals.

1. I. *Pseud-acorus,* (Linn.) Yellow water Iris, or Yellow Flag. *Pseud-acorus,* from *pseudos,* false, and *akoros,* in allusion to its resembling the *Acorus calamus* in leaf, though not in flower. *Engl. Bot. t.* 578.

Locality. In wet meadows and ditches, and on the margins of pools; also by the sides of the Avon. *P. Fl. June, July. Area,* 1. 2. 3. 4. 5. *In all the Districts not uncommon. Flowers* upright, showy of a yellow colour, the three outer and larger *petals,* reflexed, their disk pencilled with dark purple. The stigma of this plant in particular deserves to be noticed by the student, being in form and substance more like the petals than the part it really is.[1]

2. I. *fœtidissima,* (Linn.) stinking Iris. Gladdon. *Engl. Bot.* t. 596. *Reich Icones,* ix. 347.

Locality. Copses and bushy places, chiefly on chalk; not common. *P. Fl. May, July. Area,* 1. * * 4. 5.

South Division.

1. *South-east District.* "Between Salisbury and Whiteparish,"

[1] A very curious account of the agency of insects in promoting the fertilization of the different species of Iris may be seen in that very entertaining and instructive work "Kirby and Spence's Introduction to Entomology,"—vol. i. p. 393, and in "Dr. Withering's Bot. Arr.,"—vol. ii. p. 96.

Rev. John Offer. "Coppices at Milford near Salisbury," *Bot. Guide.* "Clarendon Woods," *Major Smith.* "Neighbourhood of Salisbury," *Mr. James Hussey.* "Amesbury," *Dr. Southby.*

North Division.

4. *North-west District.* Woods at Monkton Farleigh and Bradford.

5. *North-east District.* "Marlborough," *Nat. Hist. Report.* *Flowers* much smaller than the last, dull livid purple, or very rarely yellow. The *leaves,* when bruised, emit a very disagreeable odour, which some have compared to roast-beef, whence its common English name, *roast-beef plant.*

ORDER. AMARYLLIDACEÆ. (R. BROWN.)

Narcissus, (Linn.) Narcissus.

Linn. Cl. vi. Ord. i.

Name. From *narce,* (Gr.) stupor; in allusion to the powerful and injurious smell of the flowers of some of the species.

1. N. *Pseudo-narcissus,* (Linn.) false or spurious Narcissus. Daffodil. *Engl. Bot. t.* 17. *Reich Icones,* ix. 369.

Locality. In moist woods, meadows, and sides of hedges. Naturalized in orchards. *P. Fl. March, April. Area,* 1. * 3. 4. 5.

South Division.

1. *South-east District.* "Most abundant over the Landford District, to an extent injurious to many pastures," *Rev. E. Simms* and *Mr. James Hussey.*

2. *South-west District.* "Semley, not uncommon," *Mr. James Hussey.* "Corsley," *Miss Griffith.*

North Division.

4. *North-west District.* Pastures about Tytherton.

5. *North-east District.* "West Woods in various places. Martinsell Hill. Copse near Oare Hill, called 'Daffy Copse' by the natives. Clench Common," *Flor. Marlb.* "Wood near Great Bedwyn," *M. Reeks.* *Very local in Wilts,* and in several instances only as a escape from cultivation. *Leaves* nearly flat. *Flower* solitary, yellow campanulate; crown campanulate, as long as the perianth-segments margin crisped obscurely six-lobed. It varies much in size an

intensity of colour of the flower, and the relative size of the crown. A variety of this with double or full flowers, I have sometimes met with especially about old orchards, having probably escaped from gardens, where this, and 2 or 3 other varieties of the same species are frequently cultivated.

2. N. *biflorus*, (Curt.) two-flowered or pale Narcissus. *Engl. Bot. t.* 276. *Reich Icones*, ix. 365, Has been observed in a field at the North end of Plaitford, *(South-east District)* by the *Rev. E. Simms.* Perhaps not truly wild in the above locality.

GALANTHUS, (LINN.) SNOWDROP.

Linn. Cl. vi. Ord. i.

Name. From *gala*, milk, and *anthos*, a flower, in allusion to the milk-white colour. The French name, *perce-neige*, is very expressive. Snowdrop; from its blooming amidst the snow. Hence it is also called the Fair Maid of February.

1. G. *nivalis*, (Linn.) common Snowdrop. *Engl. Bot. t.* 19. *Reich Icones*, ix. 363.

Locality. Thickets, orchards, sites of old gardens, meadows, and pastures. *P. Fl. February, March. Area*, 1. * 3. 4. 5.

South Division.

1. *South-east District.* Landford, *Rev. E. Simms.*

3. *South-west District.* Abundantly in the water-meadows, between Coombe Bissett and Bishopstone, and also in the bank by roadside between those two places.

North Division.

4. *North-west District.* "Chippenham," *Dr. R. C. Prior.* "Near Calne," *Mr. C. E. Broome.*

5. *North-east District.* "Neighbourhood of Marlborough not uncommon," *Flor. Marlb. Scarcely indigenous in Wilts. Bulb* ovate. *Leaves* two, linear, keeled, glaucous, green. *Flowers* solitary, drooping, white, inner segments greenish.

ORDER. ASPARAGACEÆ. (LIND.)

CONVALLARIA, (LINN.) LILY OF THE VALLEY.

Linn. Cl. vi. Ord. i.

Name. From *convallis*, a valley, from the locality of the species.

1. C. *majalis*, (Linn.) Lily of the Valley. May Lily. *Engl.*

Bot. t. 1035. *St.* 14, 10. *Locality.* Woods and thickets. *P. Fl. May. Area,* 1. * 3. 4. *

South Division.

1. *South-east District.* Oldstock Coppice, and in a wood on the left of the road near Whaddon. "Batts Croft, Whiteparish," *Rev. E. Simms.* "Groveley Wood," *Dr. Maton, Nat. Hist. Wilts.*

3. *South-west District.* Southley Woods, near Warminster.

North Division.

4. *North-west District.* Woods at Castle Coombe. Collet's Bottom and Colerne Woods, in plenty. "Rudloe and Box," *Mr. C. E. Broome. Rather a local plant in Wilts. Leaves* two, ovate-lanceolate, radical. *Scape* semi-cylindrical. *Flowers* drooping, bell-shaped, of a pure white and very sweet scented, in a loose raceme. *Berries* globular, red.

POLYGONATUM, (TOURN.) SOLOMON'S SEAL.

Linn. Cl. vi. Ord. i.

Named, from *polus,* many, and *gonu, gonatos,* a knee or angle; on account of the angled stems.

1. P. *multiflorum,* (All.) common Solomon's Seal. *Engl. Bot. t.* 279. *Reich Icones,* x. 433.

Locality. Woods and coppices, *P. Fl. May. Area,* 1. 2. 3. 4. 5.

South Division.

1. *South-east District.* "Coppice near Whaddon," *Maton's Nat. Hist. Wilts.* "Alderbury," *Major Smith.* "Clarendon," *Camden's Britannia.* "Amesbury," *Dr. Southby.*

2. *South-middle District.* Woods at Drew's Pond. "Woods near Westbury," *Miss Overbury.*

3. *South-west District.* "Woods near Corsley," *Miss Griffith.* "Ashcombe," *Mr. James Hussey.*

North Division.

4. *North-west District.* Collet's Bottom Woods, and in woods at Spye Park, and Derry Hill. "Several woods near Rudlow," *Mr. C. E. Broome.*

5. *North-east District.* "Woods at Roundway, Devizes.[1] Great

[1] "In the woods about the Devises growes Solomon's Seale."—*Aubrey, Nat. Hist. Wilts.*

Bedwyn," *Mr. W. Bartlett.* "Frequent in the neighbourhood of Marlborough," *Flor. Marlb. Not uncommon in the county. Stems* two feet high, bare of leaves below. *Leaves* large, marked with longitudinal nerves, half-embracing the *rounded* stem. *Peduncles* one or many flowered. *Flowers* drooping in an opposite direction, white, greenish at the tips. *Filaments downy.*

A dwarf form of this species, "*P. humile anglicum,*" Ray's Synop. p. 263, is stated to have been found in the woods of Wiltshire by Mr. Philip More. This is probably only a variety of P. *multiflora,* (All.)

2. P. *officinale,* (All.) angular Solomon's Seal. *Engl. Bot. t.* 280. *Reich Icones,* x. 434. *Convallaria polygonatum,* (Linn.)

Locality. In rocky woods. *P. Fl. May. Area,* 1. * * * *

South Division.

1. *South-east District.* "Coppices about Alderbury," *Bot. Guide.* Batt's Croft, Whiteparish," *Rev. E. Simms. Very rare in the county.* Smaller than the last. *Leaves* ovate, elliptical, alternate, half-embracing the angular stem, *peduncles* mostly single-flowered, *filaments glabrous. Flowers* greener, fragrant, smelling powerfully like Hawthorn. *Berry* dark blue.

A variety, P. *intermedium, (Boreau, l.c.* p. 615,*)* with peduncles mostly two or three-flowered (sometimes four-flowered), branched about the middle or a little below it. Whole plant usually larger and stouter than in the true form, the leaves commonly broader, closer together, and rather thicker in texture. I have observed in woods at Collet's Bottom, Colerne Park, Call Wood and Beck-hill Wood, near Biddestone *(District 4).* Additional localities for P. *officinale,* (All.) and P. *intermedium,* (Boreau) would be desirable, more especially when accompanied by specimens of the respective plants.

RUSCUS, (LINN.) BUTCHER'S BROOM.

Linn. Cl. xxii. Ord. ii.

Name. Anciently *bruscus;* from *beuskelen,* Celtic, meaning box-holly.

1. R. *aculeatus,* (Linn.) prickly Butcher's Broom. *Aculeus* is Latin for a prickle. *Engl. Bot. t.* 560. *Reich Icones,* x. 437.

Locality. Bushy, heathy places and woods, especially in a

gravelly soil. *Shrub Fl. March, April. Area,* 1. * * * * *

South Division.

1. *South-east District.* Coppices at Landford. *A local plant in Wilts,* and confined to the eastern part of the county. *Stem* rigid, branched. *Leaves* ovate, accuminate, very rigid and pungent, bearing the solitary flower on the upper surface. *Flowers* minute, white, arising from the disk of the evergreen *leaves. Berry* red.

ORDER. LILIACEÆ. (JUSS.)

Fritillaria, (Linn.) Fritillary.

Cl. vi. Ord. i.

Name. From *fritillus,* (Lat.) a dice box, which they resemble in shape, or perhaps to the chequered board on which the dice are thrown.

1. F. *Meleagris,* (Linn.) common Fritillary. *Meleagris* is Latin for a guinea-hen, which bird it somewhat resembles in colour, whence the old name of Gerard, "Turkie or Ginny-hen Floure." It is also named Chequered Daffodil, and Snake's-head. *Engl. Bot. t.* 622. *St.* 18, 4. *Reich Icones,* x. 442.

Locality. Moist pastures and meadows. *P. Fl. May. Area,* * * * 4. *

North Division.

4. *North-west District.* Abundantly at Oaksey, near Malmesbury, where it occurs over one hundred and twenty acres of meadow. One piece of sixteen acres was entirely covered with this plant when I visited the locality a year or two since. In this meadow a considerable proportion of the flowers were pure white. The soil appears to be a sandy loam, mixed with clay, and abundantly saturated with water. In meadows near Bradford Wood, but it has not been observed in this station of late years. Also in meadows near Stert, Devizes. *A local plant* in the county, and truly wild. *Stem* single-flowered. *Leaves* alternate, linear-lanceolate. *Flowers* dull red, rarely white, chequered with darker lines and spots.

[*Tulipa sylvestris,* (Linn.) wild Tulip. *Engl. Bot. t.* 63. *St.* 29, 11. *Reich Icones,* x. 446. Has been observed at Wootton Rivers, and Langley Burrell, near Chippenham, but has no claim whatever to a place in our Flora, being possibly an escape from the flower garden.]

Ornithogalum, (Linn.) Star of Bethlehem.
Linn. Cl. vi. Ord. i.

Name. From *ornis, ornithos,* (Gr.) a bird; and *gala,* (Gr.) milk. Star of Bethlehem; from its abounding in Palestine, where it is used as food.

1. O. *umbellatum,* (Linn.) umbelled or common Star of Bethlehem. *Engl. Bot. t.* 130. *Reich Icones,* x. 467.

Locality. Meadows and pastures, and sites of old gardens. *P. Fl. May, June. Area,* * 2. 3. 4. 5.

South Division.

2. *South-middle District.* "Neighbourhood of Westbury," *Miss Overbury.*

3. *South-west District.* "Warminster," *Mr. Wheeler.*

North Division.

4. *North-west District.* "Near Rudlow, Box, and Collet's Bottom," *Mr. C. E. Broome.* "Meadows near the tan yard, and by the Pickwick road, at Corsham," *Dr. R. C. Prior.*

5. *North-east District.* Roundway Hill, near Devizes. "First field on the Kennet side of the Forest Hill," *Flor. Marlb.* "Near Great Bedwyn," *Mr. Bartlett. Probably an introduced plant in the county. Stem* 8 to 10 inches high. *Leaves* linear, acuminate, grooved. *Flowers* large, lower pedicels very long, so that their flowers reach to the same height with the upper ones thus forming a *corymb,* each having a membranous lanceolate bractea. *Segments* of the *perianth* green, with a white margin and white within.

2. O. *pyrenaïcum,* (Linn.) spiked Star of Bethlehem. *Engl. Bot. t.* 449.

Locality. In woods and pastures. *P. Fl. June. Area,* 1. 2. 3. 4. 5. *Frequently distributed throughout all the Districts. Bulb* ovate. *Leaves* long, linear, acuminate, channelled. *Scape* 1 to 2 feet long. *Raceme* elongated. *Flowers* much smaller than in the last species, greenish white. This plant is very common in the *North-west District* of the county, and large quantities of the immature flowering spikes are brought to the Bath Market by the poor people in spring, where they are sold in small bundles for the

table, the flavour being considered to be somewhat like that of Asparagus.

O. *nutans,* (Linn.) *Engl. Bot. t.* 1997, has been observed in a plantation at Bromham, near Devizes, also in orchards at Limpley Stoke, *North-west District,* possibly in both cases only an outcast from gardens.

ALLIUM, (Linn.) GARLIC.

Linn. Cl. vi. Ord. i.

Name. From the Celtic *all,* which signifies acrid, burning. Dr. Withering thinks it is probably derived from *oleo,* (Gr.) to shun or avoid; the smell being disagreeable to many.

1. A. *vineale,* (Linn.) vineyard Garlick, crow Garlic. *Vinea* is Latin for a vineyard, in which *locality* it is often found abroad. *Engl. Bot. t.* 1974. *Reich Icones, t.* 404. A. *arenarium,* Fries.

Locality. Corn fields, waste ground, and dry places. *P. Fl. July. Area,* 1. 2. 3. 4. 5. *Distributed more or less throughout all the Districts. Stem* 1 to 2 feet high. *Bulbs* numerous. *Spatha* of one deciduous *leaf. Flowers* on longish peduncles, which are thickened upwards, few, erect, reddish, green on the keels, shorter than the *stamens,* whose *filaments,* as well as the *anthers* are protruded. *β.* A. *compactum,* (Thuil) umbel without flower-head bulbs, with a leaf-like point, is a form of this species and is the more common state in Wilts.

2. A. *ursinum,* (Linn.) Bear's Garlic. Ramsons,[1] *Engl. Bot. t.* 122.

Locality. Copses and moist shady places. *P. Fl. May, June. Area,* 1. 2. 3. 4. 5. *General in all the Districts. Flowers* white. *Umbels* without bulbs, level-topped. *Spatha* of two ovate, lanceolate *leaves.* This is a handsome species, but it exhales, like most other species of its genus, when bruised, a very strong disagreeable odour.

ENDYMION, (DUMORT) BLUE-BELL.

Linn. Cl. vi. Ord. i.

Name. Endymion of Greek authors; the name of some purple flower.

[1] "Ramsons *(allium ursinum fl. albo);* tast like Garlick—they grow much in Cranbourn Chace."—*Aubrey, Nat. Hist. Wilts.*

"Eate leekes in Lide [March], and ramsins in May,
And all the yeare after physitians may play."

1. E. *nutans,* (Linn.) nodding Blue-bell. Scilla, *(Smith,) Engl. Bot. t.* 377. Agraphis, *Link.*

Locality. Groves, woods, and hedges. *P. Fl. May. Area,* 1. 2. 3. 4. 5. *Recorded in all the Districts. Bulb* globular, white. *Leaves* numerous, long, linear, acuminate, reflexed, of a pale shining green. *Scape* 1 foot high, taller than the foliage. *Raceme* drooping. *Flowers* pendulous, blue, with a pair of lanceolate bracteas at the base of, and longer than each pedicel. The white and pink-flowered variety has been occasionally observed in the county. The English Hyacinth is a graceful and ornamental plant, and is on that account often admitted into gardens; but the many beautiful varieties of Hyacinths so much prized by the florist, are derived from *Hyacinthus Orientalis,* a native of the Levant, which is said to be very abundant about Aleppo, and Bagdad.

MUSCARI, (TOURN.) GRAPE HYACINTH.

Linn. Cl. vi. Ord. i.

Name. From *mosehos,* musk; in allusion to the smell resembling musk. The English term Grape Hyacinth refers to the cluster of flowers, shaped like a small bunch of grapes.

1. M. *racemosum,* (Mill) Starch Grape Hyacinth. Starch Hyacinth from the flowers smelling like wet starch. Hyacinthus, *Sm. Engl. Bot. t.* 1931.

Locality. In sandy pastures. *P. Fl. May. Area,* 1. * * * *

South Division.

1. *South-east District.* "Near Upper Bushes, Whiteparish Hill," *Rev. E. Simms. Very local in Wilts* and apparently a true native. *Flowers* deep blue, smelling like starch. For fresh specimens of this interesting plant I am indebted to the above-named gentleman, and there appears but little doubt it is the *racemosum* of continental botanists. The cultivated plant is M. *botryoides,* and has globose flowers.

ORDER. COLCHICACEÆ. (DE CAND.)

COLCHICUM, (LINN.) MEADOW-SAFFRON.

Linn. Cl. vi. Ord. iii.

Named from *Colchis,* where it was said to grow abundantly.

1. C. *autumnale,* (Linn.) common Meadow Saffron. *Engl. Bot. t.* 133.

Locality. Meadows and pastures. *P. Fl. September, October. Area,* 1. 2. 3. 4. 5. · *In all the Districts, more or less distributed.*

The *flowers* appear in succession, rising from the *cormus,* with a very long narrow *tube,* surrounded at the base with a membraneous sheath. The *stamens* are inserted on the oblong-ovate *segments* of the pale purple *perianth. Germen* at the base of the *cormus,* the long, thread-like *styles* running up the whole length of the tube.

The *leaves* and *fruit* appear in spring, and are withered before summer. A remarkable variety of this species, C. *autumnale, flor. serotinis, Engl. Bot. t.* 1432, was found by the late William Salmon, Esq., for many successive seasons in a field of rough furze pasture, called the Nine Hills, near Drew's Pond, Devizes *(South-middle District),* bearing its flowers and leaves together, in the months of April and May, but the former are abortive, in consequence of their tardy unseasonable development. The lengthened segments of the perianth, and its pale greenish hue contrast strongly with the ordinary habit of the plant. I have repeatedly visited the locality for several years past but have never been successful in finding a specimen, and the field being ploughed up, this interesting plant is I fear now destroyed.

General Meeting of the Society for 1871.

THE general annual meeting of the Society was held December 29th, 1871, at two o'clock, at the Savings Bank, Devizes, (Sir John Awdry in the chair,) at which the proceedings were confined to the reading of the Report, the election of officers for the year ensuing, and the adjournment for three weeks, for the further consideration of the proposal for the purchase by subscription, of premises for a Museum and Library at Devizes.

Sir John Awdry opened the proceedings by calling on the Rev. A. C. Smith, (one of the general Secretaries,) to read the Report.

REPORT FOR 1871.

"The Committee of the Wiltshire Archæological and Natural History Society must begin its annual report by lamenting the loss of many members from their ranks by death, and removal from the county. Amongst the former, we must especially mention as amongst our earliest members, Mr. Conolly, of Cottles; the Rev. Joseph Medlicott, of Potterne; Mr. John Noyes, of London; the Rev. Edward Wilton, of Lavington, one of our earliest and most diligent supporters; and last but by no means least, Mr. F. C. Lukis, of the Grange, Guernsey, the father of our late Secretary, and whose antiquarian researches and knowledge, are too generally known to need expression here. The number of names now on the books amounts to 319.

"Financially the Society's position is favourable, showing an increase above last year of about £20.

"With regard to the labours of the past year. The Committee takes the earliest opportunity of assuring its members that though from circumstances to which it will presently refer, it has not during the past year been so prominently before the public as usual, it has not been idle in regard to its duties.

"The annual meeting had been for some time contemplated, and arrangements were on the point of being made in an eligible centre of North Wilts, when the fixtures for the autumn of 1871 of other kindred societies in the neighbouring counties seemed to overpower our local gathering, and to render its abandonment for the current year advisable.

"The issue of No. 37 of the Magazine, which should have been published in the summer, was delayed by unavoidable circumstances; but the succeeding number is now being pushed on as rapidly as possible, and if no unforeseen hindrances occur, the editors expect that it will within a very short time be in the hands of members.

"The threatened profanation of the great circle at Avebury, by the building of villas within the area, and the destruction of some of

the stones—which caused a thrill of horror within the breast of every Archæologist—will now, we hope, be happily averted. For this timely rescue, our cordial thanks are due to the watchfulness and zeal of our staunch supporters residing on the spot, the Rev. Bryan King, Mr. Kemm, and Mr. George Brown; and above all to Sir John Lubbock, who, with a public spirit above all praise, and the true love of Archæology for which he is notorious, came forward at the right moment to purchase the land in question, and so rescue the glory of North Wilts from the irreparable injury which it thus narrowly escaped.

"The preservation of another relic of antiquity within our county, itself too, an unique specimen of its class—viz., the little Saxon Chapel at Bradford-on-Avon—is now engaging the attention of the Committee, and it is their earnest hope that this invaluable relic of Saxon architecture may be preserved.

"In addition to the subjects mentioned above, the question of the purchase of buildings suitable for the Museum and Library of the Society has occupied the attention of the Committee, and necessitated an unusual number of meetings and the expenditure of much time and consideration. They recommend the purchase of certain premises in Long Street, Devizes, offered them for this purpose, and they further recommend that the general meeting of to-day be adjourned so that adequate notice may be given to the members at large.

"The Committee in conclusion desires to congratulate the Society on the acquisition of a great part of the collections of the late Rev. E. Wilton; and at the same time to express the hearty thanks of the Society to all who have enriched the Museum and Library by contributions during the past year; while they would again bespeak the careful observation and active vigilance of their many members in all parts of the county, both with regard to the Antiquities and to the Natural History of Wiltshire."

The Report, on the motion of Mr. Waylen, seconded by Mr. Flower, was adopted, and ordered to be published.

The re-appointment of the officers who served during the past year, with the substitution of Mr. Charles Talbot, of Lacock Abbey, on the Council, in place of the Rector of Devizes, who resigned;

and with the addition to the list of Local Secretaries of the Rev. G. S. Master, of West Dean, was carried unanimously.

It was then resolved that the meeting be adjourned to Tuesday, January 23rd, and that special notice of the meeting and its object, be at once circulated.

With a hearty vote of thanks to the Chairman, which was duly acknowledged by Sir John Awdry, the meeting was concluded.

Donations to the Museum and Library.

The Council have the pleasure to acknowledge the following Donations to the Museum and Library:—

From John Godwin, Esq., a Photograph of an ancient building at Malmesbury, framed and glazed.

From Mrs. Tanner, a collection of Coins.

From Admiral Montagu, Coins and a Pamphlet.

From The High Sheriff, (J. W. G. Spicer, Esq.,) Specimens of Manufactures of the Feeje Islanders.

From C. Roach Smith, Esq., (the Author,) a Catalogue of Anglo-Saxon Antiquities in the South Kensington Museum.

From Dr. Thurnam, a Drawing of a Roman Sarcophagus found at Wraxall.

From H. D. Skrine, Esq., (the Author,) the History of Bathford, 1 vol.

From R. Mullings, Esq., MS. copy of Wilts Visitations, 1623.

From the Author, Address to Meeting of Archæological Institute at Cardiff, by Edward A. Freeman, D.C.L.; and Inaugural Address to Meeting of Somersetshire Archæological and Natural History, 1871, by the same.

From Mrs. Chamberlaine, Seend, a large Cabinet, containing Fossils and Minerals, chiefly collected in Wiltshire, by the late George Chamberlaine, Esq.

From H. Butcher, Esq., Devizes, the Publications of the Palæontographical Society, 12 vols. quarto.

They have also received "Proceedings of the Society of Antiquaries of London, March, and June, 1871." "Journal of Historical and Archæological Association of Ireland, No. 8."

The Society is indebted to the Rev. W. C. Plenderleath for having compiled a MS. Catalogue of the Books in the Society's Library.

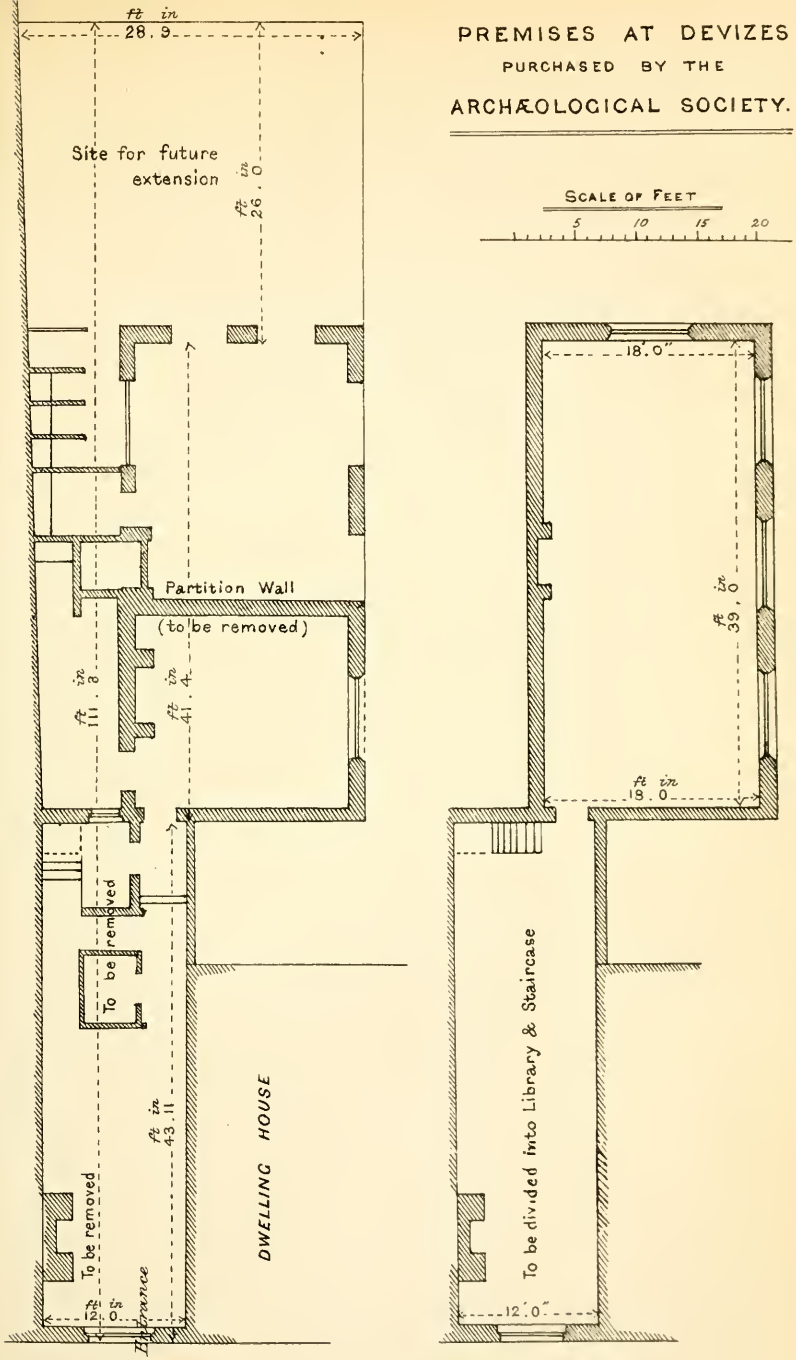
The Museum and Library.

ONE of the main objects for which the Wiltshire Archæological and Natural History Society was established, was the formation of a County Museum and Library, and this object has never been lost sight of by the Council. Several years ago, an attempt was made to obtain some ground for building; but about the same time, the room at the Devizes Savings Bank was offered, which being then considered sufficient for the purpose, the project for building was abandoned. For some years past, it has been apparent, that this accommodation was too limited for the purposes of the Society, and much valuable property has been stowed away elsewhere. The importance of obtaining more suitable premises has been frequently urged in the annual reports; but the opportunity did not occur until last year, when the Grammar School property situated in Long Street, Devizes, was purchased by Mr. Jackson, with the understanding that the Society should have the offer of a portion of it for their Museum and Library. Accordingly a sub-committee was appointed to treat with him on the matter, and at the annual adjourned meeting, held on January 23rd last, the High Sheriff, (J. G. W. Spicer, Esq.) in the chair, it was resolved unanimously, that the premises should be purchased for the sum of £620, according to the recommendation of the Council, provided the necessary funds could be raised, (together with an additional sum of about £300 for alterations, &c.,) on or before February 24th, 1872.

The response which the gentlemen of the county made to this appeal was very gratifying, and by the day named the sum of £934 had been promised.

Annexed are plans of the premises which are now the property of the Trustees of the Society. The entrance will be from the street. The ground-floor will be a Vestibule and lower Museum, and on the upper floor will be the Library (fronting the street) and

PREMISES AT DEVIZES
PURCHASED BY THE
ARCHÆOLOGICAL SOCIETY.



GROUND PLAN

UPPER PLAN

Henry Heaven
Devizes

the upper Museum. At the end is a piece of ground which will be available for the future enlargement of the building.

The cost of glass cases and other fittings will considerably exceed the amount at present in the hands of the Society. Further donations will be acknowledged in the next number of the Magazine, and the Council hope for contributions from such gentlemen as have not yet subscribed.

The following is a list of the subscriptions to the Museum Fund:—

	£	s.	d.
The High Sheriff, J. G. W. Spicer, Esq.	50	0	0
Most Hon. the Marquis of Lansdowne (Patron)	50	0	0
Sir John Neeld, Bart,	50	0	0
Right Hon. T. H. S. Sotheron Estcourt	50	0	0
G. Poulett Scrope, Esq.	50	0	0
T. H. A. Poynder, Esq.	50	0	0
Sir Thomas Bateson, M.P.	25	0	0
Rt. Hon. E. P. Bouverie, M.P.	25	0	0
J. B. Fuller, Esq.	25	0	0
E. C. Lowndes, Esq.	25	0	0
S. Watson Taylor, Esq.	25	0	0
C. Penruddocke, Esq. (President)	20	0	0
Miss Chafyn Grove	20	0	0
J. Lyall, Esq.	20	0	0
Rev. Canon Jackson	20	0	0
R. V. Leach, Esq.	20	0	0
Alexander Meek, Esq.	20	0	0
Mr. Cunnington	20	0	0
C. P. Phipps, Esq., M.P.	10	10	0
Rt. Hon. Lord E. Fitzmaurice	10	0	0
Rt. Hon. Lord Heytesbury	10	0	0
Lady Charles Wellesley	10	0	0
Very Rev. Dean of Salisbury	10	0	0
Ven. Archdeacon Stanton	10	0	0
Mrs. Colston	10	0	0
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G. Fuller, Esq.	10	0	0
G. H. W. Heneage, Esq.	10	0	0
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Dr. R. C. A. Prior	10	0	0
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Sir M. Digby Wyatt	5	5	0
Mrs. John Britton	5	0	0
T. B. Anstie, Esq.	5	0	0
Henry Brown, Esq. (Blacklands Park)	5	0	0
Major Clark	5	0	0
Thomas. B. Flower, Esq.	5	0	0
A. L. Goddard, Esq.	5	0	0
H. N. Goddard, Esq.	5	0	0
J. Halcomb, Esq.	5	0	0
C. R. Lucas, Esq.	5	0	0
Rev. A. C. Smith (Hon. Sec.)	5	0	0
W. Long, Esq.	5	0	0
W. C. Merriman, Esq.	5	0	0
Rev. T. F. Ravenshaw	5	0	0
J. P. Stancomb, Esq.	5	0	0
Mrs. Weller	5	0	0
Rev. W. Wayte	5	0	0
H. Weaver, Esq.	5	0	0
Rev. E. T. Whinfield	5	0	0
T. H. Wyatt, Esq.	5	0	0
W. H. Butcher, Esq.	3	3	0
Major Calley	3	3	0
Robert Clark, Esq.	3	3	0
S. B. Dixon, Esq.	3	0	0
J. Reynolds Gwatkin, Esq.	3	0	0
James Hussey, Esq.	3	0	0
C. Bleeck, Esq.	2	2	0
R. Brewin, Esq.	2	2	0
Rev. E. B. Edgell	2	2	0
Rev. E. Everett	2	2	0
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Rev. T. A. Preston	2	2	0
W. W. Ravenhill, Esq.	2	2	0
Rev. E. H. M. Sladen	2	2	0
J. Wilson, Esq.	2	2	0
Rev. W. T. Wyld	2	2	0
H. M. Clarke, Esq.	2	0	0

	£	s.	d.		£	s.	d.
Miss Fowle - - - - -	2	0	0	J. Parry, Esq. - - - -	1	1	
Mrs. Kenrick - - - -	2	0	0	Rev. W. C. Plenderleath -	1	1	
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E. Merriman, Esq. - -	1	1	0				

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WILTSHIRE ARCHÆOLOGICAL AND NATURAL HISTORY SOCIETY.

Abstract of the Account of Receipts and Disbursements of the Society, from the 1st January to the 31st December, 1871, both days inclusive.

DR.

	RECEIPTS.	£	s.	d.
1871.	To Balance brought from last account	303	5	8
	,, Subscriptions and Entrance Fees of Members	140	14	0
	,, Cash received for Sale of Magazines	9	6	7
	,, Ditto for "Aubrey" Volume	1	5	0
	,, To Receipts on account of the Meeting at Wilton in 1870.....	2	11	0
		£457	2	3

CR.

	DISBURSEMENTS.	£	s.	d.
1871.	By suudry Payments, including Postage, Carriage, Advertising, &c.....	14	5	4
	,, Cash paid for Books	20	0	0
	,, Ditto, Printing, Engraving, &c., on account of Nos. 37 and 38 of the Magazine	61	12	0
	,, Insurance	0	10	3
	,, One year's Rent of Room at Savings Bank....	11	10	0
	,, Financial Assistant Secretary, Salary and Commission	17	0	8
	,, Payments on account of Wilton Meeting	5	13	9
	,, Balance on Deposit and Current Account at Bankers	326	10	3
		£457	2	3

WILLIAM NOTT,
Financial Assistant Secretary.

Just Published, Royal 8vo. Price Three Shillings.

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EARLY ANNALS OF THE EPISCOPATE

IN

WILTS AND DORSET.

BY THE

REV. WILLIAM HENRY JONES, M. A., F. S. A.

Vicar of Bradford-on-Avon,

And Rural Dean in the Diocese of Sarum.

This Work contains an account of the rise and progress of the Episcopate in Wilts and Dorset, from the establishment of the See of WESSEX, by S. BIRINUS, A. D. 634, till the final settlement of the See of NEW SARUM, (or SALISBURY,) A. D. 1218.

Appended is a Table, showing the gradual formation of the various Dioceses in the West of England; and also complete lists, with short accounts, of the various Bishops,—whether of WESSEX, WINCHESTER, SHERBORN, RAMSBURY, or SARUM,—who had jurisdiction, either wholly or in part, over those Counties, which from time to time, have been included in the Diocese of SALISBURY.

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No. XXXIX. DECEMBER, 1872. Vol. XIII.

THE

WILTSHIRE

Archæological and Natural History

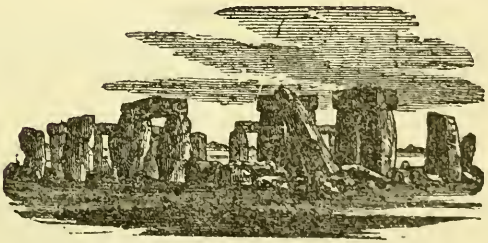
MAGAZINE,

Published under the Direction

OF THE

SOCIETY FORMED IN THAT COUNTY,

A.D. 1853.



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NOTICE TO MEMBERS.

Members who have not paid their Subscriptions to the Society *for the current year,* are requested to remit the same forthwith to the Financial Assistant Secretary, Mr. William Nott, 15, High Street, Devizes.

The Numbers of this Magazine, will not be delivered, as issued, to Members who are in arrear of their Annual Subscription: and who on being applied to for payment of such arrears, have taken no notice of the application.

Some of the early Numbers of the Wiltshire Magazine are out of print, but there is a supply of other Numbers which may be had by persons wishing to complete their volumes, by applying to Mr. Nott.

The Annual Subscriptions (10*s.* 6*d.* payable in advance, and now due for 1873), should be sent to Mr. William Nott, Savings Bank, Devizes, to whom also all communications as to the supply of Magazines should be addressed.

All other communications to be addressed to the Honorary Secretaries: the Rev. A. C. Smith, Yatesbury Rectory, Calne; and Mr. Cunnington, St. John's Court, Devizes.

The Rev. A. C. Smith will be much obliged to observers of birds in all parts of the county, to forward to him notices of rare occurrences, early arrivals of migrants, or any remarkable facts connected with birds, which may come under their notice.

THE

WILTSHIRE
Archæological and Natural History
MAGAZINE.

No. XXXIX. DECEMBER, 1872. Vol. XIII.

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THE

WILTSHIRE MAGAZINE.

"MULTORUM MANIBUS GRANDE LEVATUR ONUS."—*Ovid*

Rowley *aliàs* Wittenham.

By the Rev. Canon J. E. Jackson, F.S.A.

STUDENTS of Wiltshire Topography, turning over the pages of the Public or other Records, in search of material for parochial history, may have met with "Wittenham" or "Rowley," sometimes "Rowley *aliàs* Wittenham" or "Wittenham *aliàs* Rowley," as the name of one of the parishes in the county. They will not have found it on any county map; nevertheless, such a parish there once was. It had also a church, and an Incumbent and churchwardens who duly answered to their names and paid their fees at the Bishop of Salisbury's Visitation. But neither episcopal muster-rolls nor county lists, any more than the maps, know anything now of Rowley *aliàs* Wittenham.

The reason is, that more than 400 years ago, it was, as a church, legally and with consent of all parties, annexed to an adjoining church, not in Wilts but in Somerset, viz., that of Farley-Hungerford (better known as Farley Castle), in the diocese of Bath and Wells. It is owing to this circumstance that the parish of Farley lies, as it does, in two counties.

The annexation of two churches in one and the same county and diocese is not an uncommon act: but that of two lying in different counties and dioceses is so extremely rare, that it seems to deserve a little notice: especially when, as in the present instance, we are able to produce the document by which the annexation was legally and canonically made.

The ruins of Farley Castle, about three miles west of Bradford-on-Avon, stand on a hill, upon the very eastern verge of the county

of Somerset. Below, and within a stone's throw from the Castle, runs the river Frome dividing Somerset from Wilts. On going down the hill and crossing the county bridge into Wiltshire, you immediately set foot upon the ancient parish of Rowley *aliàs* Wittenham. This continues, for a considerable distance, both forwards towards Westwood and Bradford along a lane still called Rowley Lane, and also along the road to the right hand, in the direction of Winfield and Trowbridge.

The name of Wittenham is not now to be met with anywhere in the district: but it (and not Rowley) is the name of the parish given in the oldest authorities.

There are two Charters; one of A.D. 987, (being No. 658 in the Codex Diplomaticus,) and the other of A.D. 1001, (printed in this Magazine, vol. v., p. 20,) from which it would seem not unlikely, yet not certain, that Wittenham meant the lands that lie along the river, on the Wiltshire side, between Farley Bridge and Iford.

It is mentioned next in Domesday Book, as "Withenham" only, and assessed at 5 Hides, implying a tract of considerable extent. "Wyt'nam" is again named in the "Nomina Villarum," A.D. 1315, as a "Vill" in the Hundred of Bradford.

The name of Rowley, on the other hand, is still preserved, and is given to a large portion of the higher ground rising eastward from the river Frome, and to many detached fields now scattered about the parish of Winfield. The name means perhaps Rough Lea; either from the inferior quality of soil, or from its having been for a long time, forest imperfectly cleared. In an old Selwood Forest document of A.D. 1320, at Longleat, which gives the names of all the vills, lands and woods that were included in that Forest before *temp.* Edward I. (showing that it extended as far as Bradford-on-Avon), "Winfield, *Witenham*, Trowle, Westwood and *Roule*," are mentioned. In an Inquisition 9 Edw. IV., (1470) Wittenham and Rowley are named distinctly as two manors: "the manor of Wittenham worth 5 marks a year held of the Lord Zouche: and the manor of Rowley worth 40 shillings a year, holden of the Abbess of Shaftesbury" (Lady of the Hundred of Bradford). Here are clearly two separate properties held under different superiors: but a church

built in old times for the accommodation of both, would, on the spot and in the neighbourhood, naturally obtain the name of the particular manor on which it stood. The registers of Sarum call it in the earliest entry, A.D. 1299, "Ecclesia Wyttenham:" in subsequent entries, "Wyttenham *aliàs* Rowley." Being built, as by tradition it is said to have been, on Rowley, this name prevailed, and the other has been lost altogether.

From what we know of the lands that still bear the name of Rowley, and which lie very much scattered, it would seem that (speaking broadly) the "Withenham" of Domesday represented the greater part of the following area. From Stowford by the river to Iford, thence in an easterly direction, but in a broken line, along Westwood parish boundary as far as, and even a little farther than, the cross-roads (between Bradford and Winfield) called "Dainton's Grave:" then, southerly, to the present Winfield Manor House, and thence back by the present public road to Stowford. On a large county map such as Andrews and Dury's a general idea of this area is easily obtained. This will explain what is otherwise difficult to understand, how "Withenham" could have been assessed for 5 hides in Domesday Book. The area just described is now occupied by land belonging to the parishes, chiefly of Farley and Winfield, between which the ancient lands of Rowley have been divided: but it includes also some fields of Westwood, and one or two pieces of Bradford parish, all of which it is certain from authentic documents were once part of Rowley.

Descent of the Manor.

Treating the two manors as one estate, their Saxon owner's name in the time of Edward the Confessor was Alvet. At the Conquest it was given to Geoffrey de Sancto Laudo (or St. Lo) Bishop of Coutances, in Lower Normandy. This foreign ecclesiastic had many manors in Co. Somerset; among them, Newton near Bath, which still retains the name of his family. He evidently planted his Norman kindred in this part of England: for in Edward I. Rowley was held by William St. Lo. (T. de N.) A few deeds of ancient conveyance have been met with: and in the oldest, (not

dated, but from the witnesses' names apparently of about Edw. I.) Roger de St. Lo was then owner. He parted with a small portion in "Rueleiâ," viz., a manse, a virgate of land, and pannage for swine in Wittenham Wood," to one Walter Brutun of Hentou Charterhouse whose son, John Brutun, settled it on his daughter Katharine upon her marriage with Roger Hamund, of Shockerwick, near Bath. Thomas Hamund his son was owner in 1306. About the year 1427 it was purchased, under the name of "Hamund's lands," by Walter Lord Hungerford, K.G., of Farley Castle.

The manor and advowson passed out of the St. Lo family to George Cantilupe, Baron of Bergavenny, who, dying 1272 without issue, left it to one of his sisters, Milicent, wife of Eudo de Zouche. Elena, daughter of Alan de Zouche, married Nicholas St. Maur, who presented to the Church of Wyttenham *aliàs* Rowley in A.D. 1299. He was of the elder House of St. Maur, and owner of the manor of Road, Co. Somerset, a few miles off. Under the manor of Rowley were held several small outlying properties in various parishes, paying chief or quit rents: as at Ashley and Rudlow in Box, the town of Bradford, Bradford Lye, Woolley, and Avoncliff, in Wilts: and at Tellisford and Road in Somerset. In the last mentioned parish the name of Wittenham survived longer than any where else, slightly corrupted into "Little *Wigenham*," or "Road *Wygnam* by the water-side." At Shawford Mill, near Wolverton and Road, there was also land called "Wolverton's *Wygnam*." These grounds are so named in 1562 in an old rent roll of the Hungerford family, as copyholds of the manor of Rowley *aliàs* Wittenham, granted by George Lord Zouche, St. Maur, and Cantilupe. At Tellisford there were admissions by the steward of the same manor so late as 1704. This explains why Rowley manor is sometimes described as "in the counties of Somerset and Wilts."

Rowley remained in the St. Maur family from 1299 to 1410, when it came back to the Zouches, by the marriage of Alice St. Maur, an heiress, with Sir William Zouche, afterwards fifth Baron Zouche of Harringworth.

In 1427 Lord Zouche being indebted to Walter Lord Hungerford, K.G., in a sum of 250 marks for "merchandize," on a further

receipt of 200 marks, transferred to Lord Hungerford the manor and advowson of Rowley. The deeds completing the transaction are dated "at Rowlegh *aliàs* Witnam," the Feast of the Nativity of St. John, 7 Hen. VI., and six years afterwards, viz., in 13 Hen. VI., John de St. Maur Esq. (nearest of kin to the old owners) released in the usual way, any rights he might have in the Manor of Wytnam, "otherwise called" the Manor of Rowlegh. Lord Hungerford at the same time obtained a few acres in "Rowley Field near Yforde" (Iford), held of the Prior and Convent of St. Swithin's, Winchester (this would be part of Westwood); and a small portion of land, also in the same field, held under the Prior of Henton Charterhouse.

This purchase was all-important to Lord Hungerford, then busy in finishing, at Farley, the castle which his father, Sir Thomas, had begun. For his own parish (Farley) being behind the castle, on the western side, the principal view from his new windows would be over the lands of Wittenham and Rowley. The castle park also lay that way extending for about a mile as far as Iford, and divided into two by the river. Part of Rowley *aliàs* Wittenham and the lands obtained from the two Priors above-mentioned, formed the Wiltshire side: and these (it is believed) are the lands which are now known as the "Wiltshire Park Farm."

In 1555 (2 and 3 Phil. and Mary), Sir Walter Hungerford (a descendant) and Agnes, his wife, leased Rowley Farm to Christopher Bayly, for 40 years ensuing after the death of Elizabeth Lady Throckmorton, then wife of Sir Robert Throckmorton, widow of a former Sir Walter Hungerford. Christopher Bayly married Matilda, daughter of Thomas Horton, Esq., of Iford, and after his decease she re-married Walter Bush who was occupier of Rowley Farm in 1583. It is described as lying in Rowley, Stowford, Westwood, Iford and the Moors (believed to be between Midway Farm and Trowle Common). Rebecca Bayly, granddaughter of Christopher by his wife Matilda Horton, was an heiress. She married, first Henry Long, Esq., of Whaddon, who died 1612: secondly, Henry Sherfield, of Salisbury, M.P.[1] There are some fields (titheable to

[1] The celebrated Recorder of that city, who in order to show his dislike of the architectural decorations countenanced by Archbishop Laud, and on the plea

Farley as being parts of Rowley) called the Slow Grounds, not far from Winfield Manor House, which, in a Farley Terrier of 1675 are described "as the inheritance of the Longs, but in the tenure and occupation of Mrs. Shertrin," meaning this Mrs. Sherfield.

In 1583 a survey of Rowley Manor was taken for Sir Walter Hungerford. The lands thrown into the old park, being demesne, are omitted. There appear to have been only two houses on the spot, Rowley Farm-house and a cottage. The farm-house is described as containing "five *fields* whereof two were new builded, a new barn of five fields, and a cutting under the barn in length 3 fields." The lands are called very much by the same names as at present: but there have evidently been many inclosures since, as there were then no less than 37 acres in Stowford Field, and 57 in Westwood Field. Robert Rogers was the only cottager.

It was stated above that of the manor of Rowley were held several properties, of various size, lying at a considerable distance. The following is the list of them given in the survey of 1583:—

FREEHOLDERS *doing suit of Court and paying Chief Rents to the Manor of Rowley*, 1583.

In the Parish of Box.

THOMAS SNELL, Esq. A House and 37 acres. Chief Rent, £2 0 0 a year. [The same sum was paid in 1777 by Wm. Northey upon grounds then called "late Jessers."]

EDMUND LEVERSAGE, Esq., for "Bishop's which was the 4th part of Rudlow Farm." 10s. [In 1777 this was paid by Ambrose Goddard, Esq.]

WILLIAM LONG: a Rowlease tenement called "Hayes," about 50 acres: Fogbroke, Milcroft, *Widenham* Mead, Mountford-ham, Chapel Field, &c. [Some of this would probably be at Ashley in Box.]

ANTHONY GROME: For 33 acres, Corbyn's, Fogbroke, Dunscroft, &c. [Afterwards Mr. Snell's.]

COPYHOLDERS of Rowley Manor, 1583.
In Co. Wilts.

In SOUTH WRAXHALL and ATWORTH. } THOMAS CROKE, 25 Acres, Wrysall mead, land by Donmead-Brook and Elbridge, Tymmeridge, &c.

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that the representations were blasphemous and profane, broke to pieces with his staff the stained-glass window in St. Edmund's Church, Salisbury; for which an information was filed against him in the Star Chamber, and he was imprisoned and fined £500.

Ancliff and Winsley Fields.	John Hendy, about 30 Acres. [Afterwards R. Dyke's and bought by James Druce of Bradford, clothier.]
,,	Robert Grant. A Fulling Mill and Gryst Mill, both under one "roffe," and Avoncliff weare. [Held in 1609 by one Erberie, afterwards by John Davison who bought it in 1700 for £197 13*s.* 0*d.*]
Box.	John Shute: Rickman's, and common on Kingsdown.
Bradford.	William Howell. "A piece of voyde ground, 3 lugge in length and 2 in breadth, at the other end 16 foot, upon which plecke is now builded a praty house." [This was bought in 1700 by Edward Thresher of Bradford for £28.]
Peput Street.	John Jones. A small piece of voyde ground. [Bought in 1700 by Mr. Barnard.]
	[It may be added here from another source, that in 7. Hen. IV. (1405-6) Walter Lord Hungerford, K.G., of Farley Castle, purchased of Philip Verdon a messuage in Peput Street: also some land at Holt and Puddenham, adjoining Wolvelegh, above Stonehill; all which he gave to his mother, Joan (Hussey), wife of Sir Thomas Hungerford.]
	John Pearce, a Cottage.
Wolley.	William Webbe. 44 Acres.
Holt, Bradford, Freshford Moor and Puddenham.	Henry Bapshyr: 32 Acres, Dunsmead, Backerley, Tuddersley, Pilkmead, &c.
Atford and S. Wraxhall.	Crooke, and Keeping, 13 Acres.
Awberd's Lyes & Bradford Lye.	Henry Bapshur, 12 Acres, "Burnwell's."
	Richard Horne, 38 Acres, Michell's, Pilkmead, Caswell's in King's Field, Black Acre at King's Cross, Keyneswell, Wyggemead.

Copyholders of Rowley Manor. 1583.
In Co. Somerset.

Tellisford.	Thomas Hibbard. Chatley close, &c.
	John Druce. House and Land in N. and S. Fields.
	Thomas Tucker, Walter Busy (or Bissie), and Henry Deverell: messuage and land called Bollings.
	Gregory Bekar. Little Chatley.
	Uryll Swift. do.

In 1610 Rowley Farm was held under Francis, Earl of Rutland, for his life, in right of his wife, Cicely, widow of a Sir Edward Hungerford, who died 1607. The tenant at that time was William Walter.

In 1687, on the breaking up of the great Hungerford property through the extravagance of Sir Edward Hungerford, K.B., temp.

Charles II., Rowley (with all the rest of the estates around Farley Castle) was bought by Henry Baynton, Esq., of Spye Park. A few years afterwards, in 1700, the whole was re-sold, out of Chancery. Mr. William Chandler, of Bradford, salter, bought (it is believed) besides the original Iford estate, then very small, so much of Rowley as had been thrown into the old park of Farley Castle, viz., that part which is now called the Wiltshire Park Farm. Mr. Chandler also bought the manorial rights of Rowley, chief rents, &c., above detailed. Many of these chief rents still belonged to the Iford estate when that property was sold by Mr. Turner to John Gaisford, Esq., about 1779. The owner of Iford now claims the manor or reputed manor of Rowley.

Rowley Farm was bought by Mr. Barnard. Before the year 1732 he had sold his purchase to three persons, Mr. Dyke, Mr. Zachary Shrapnell (of Midway), and Mr. Wm. Yerbury. Mr. Yerbury's portion was afterwards bought by Thomas Cooper, Esq., of Winfield, and is now that part of Stowford Farm which lies in the parish of Farley. Rowley Farm-house was taken down many years ago.

Church and Advowson.

The church was dedicated to St. Nicholas. It had a nave, chancel, and church-yard: and is said, by tradition, to have stood in Rowley Lane, about half-way between Farley and Westwood, at a spot where the lane widens into an open green, still called by some, Holy Green. No traces, however, of foundations have been detected in the lane itself, even in very dry seasons. Just at this point an old pack-horse road from Stowford to Iford crosses Rowley Lane, and in one of the fields at the crossing, a pond and certain traces of buildings, barton and orchard, mark the site of Rowley Farm-house. In another field on the opposite side of Rowley Lane are other indications of buildings. The church may have stood there, but no interments seem to have been met with. The spot is so lonely and the habitations, even in its most populous days, must have been so few, that unless some person of consequence or great piety once lived there, it is strange that a church should have been built at all, the

church of Westwood being not much more than a quarter of a mile off. But Rowley being an independent parish, with a Rector, it was probably thought right that it should have a church of its own.

It appears, from the Act of Annexation to Farley, that Rowley Church was intended to be preserved, the parishioners of Rowley being, by the document, exempted from paying towards the maintenance of the nave of Farley Church, on condition of maintaining their own. Their chancel was to be kept up by the Rector of Farley. All the church ornaments, vestments, &c., of Rowley to remain as they were. Masses to be said three times in the year, viz., on St. Nicholas's Day (6th Dec.), the Nativity of the B.V.M. (Sept. 8th); and on the day of the Dedication of Rowley Church. For all other services and offices they were to attend at Farley. A special arrangement was made for observing in Farley Church the Obit of Lord Hungerford's father, Sir Thomas, who had died, December 3rd, 1398: all the expenses of which were to be borne by the Rector of Farley on the strength of the addition to his income by the benefice of Rowley. Every 2nd December, the eve of the Obit, the Rector was to collect seven priests and say a solemn mass for the dead. On the 3rd a mass by the Rector and seven other masses by the rest, for the souls of Lord Hungerford's father and mother, for his own and his wife's, during their lives, and likewise after their deaths. After which, the seven chaplains were to dine with the Rector and receive 4d. a-piece for their pains. Thirteen poor folk were to attend the masses and to receive one penny each. Two wax tapers, each weighing one pound, were to be kept continually burning during the ceremonies. Failing performance of these injunctions, the Rector was to pay a fine of xx shillings towards the building of Wells Cathedral, and to be suspended from all the emoluments of both churches.

As Rowley Church was only to be made use of three times a-year, it was not likely to be kept up very long, but at what time it was entirely taken away is not known.

The Registers of Sarum have preserved the names of six Rectors of Wittenham *aliàs* Rowley, viz.:—

A.D.		Rector.	Patron.
1299	Ecclesia Wyttenham	Richard de Pulton	Nicholas de St. Maur, Kt.
1363	E. Witham *aliàs* Rowle	John Benet	The King: for the heirs of Nicholas St. Maur, dec^{d}.
——	,, ,,	Roger Holford	,, ,,
1409	E. Wyttenham Roly in Archdiac Sarum	John Corbyn, *vice* R. H.	The King, for the heir of Sir Richard St. Maur.
1410	E. Wittenham Rowly	John Fenton, *v.* Corbyn	The same for the same.
1419	E. Wittenham Rowely	Richard Cyddeleygh on resign: of J. Fenton	The King.
1421	,, ,,	[Name not given]	,, ,,

In the *Valor Eccles.* H. viij., a "Portion of viij pence per annum" is entered as payable to the Dean and Chapter of Sarum from the church of Rowley: and from lands at Rewleigh juxtá Farlegh 14^{s}. a-year was paid to the Priory of Henton Charter-house. The Rector of Rowley had been used also to pay 6^{s}. 8^{d}. a-year to the Abbey of Shaftesbury "pro capitulo reddendo," which payment at the time of the Val. Eccl. (1534) continued to be paid by the Rector of Farley.

Besides the names of residents at Rowley already given, there are in the parish registers of Farley the following entries of two families, Heale and Sargent:—

HEALE OF ROWLEY.

Roger Heale of Rowley in the Tithing of Winkfield. Bur. at Farley, 3 Feb. 1696. =Abigail.

John Heale.	Mary Heale.	Barbara Heale.	Elizabeth Heale.	Anne Heale.
Bapt. at Farley, 23 July, 1693.	Bapt. at Far., 14 Sept., 1675.	Bap. at Far., 18 March, 1680.	Bapt. at F., 23 Dec., 1683.	Bapt at F., 27 Oct., 1695.

SARGENT OF ROWLEY.

Henry Sargent of Rowley. Died 1 May, 1697. =Mary.

Henry Sargent, Jr. of Rowley. Died 5 May, 1697.	Enoch Sargent. D. 16 April, 1697.

Jane, dau. of Joseph and Jane Sargent of Rowley, born 20th, bur. 24th Jan., 1700.

From the union of the two parishes described above, a great deal of confusion has continually arisen. The parish of Rowley being in Co. Wilts, has been for civil purposes associated with adjoining Wiltshire parishes. In 1439 "Westwood and Roughley" were returned as one tithing (suprá p. 118). In 1568 "Trowle and Rowley" are called one tithing *(Muster Roll)*. In 1569, "Rowley, Trowle and Winfield" go together and provide one tithingman *(Subsidy Roll)*. In the old Court Rolls of Bradford Manor, "Winfield and Rowley." Some lands, again, called Rowley pay rates to Winfield parish, others called Rowley, to Farley parish. Still greater the confusion in matters "spiritual." The old church terriers of Farley show that in 1675 many acres of land lying in and intermingled with the lands of other parishes, Westwood, Bradford and Winfield, were nevertheless lands of the parish of, and titheable to, Farley. All these had been undoubtedly part of Rowley parish, added to Farley by the "Annexation," but through uncertainty or neglect, they have been lost to Farley parish. The glebe lands also of the old parish of Rowley have been a fruitful source of difficulty; even those which belong, without any sort of doubt, to the Rector of Farley, nevertheless lie scattered all over Winfield; and about sixty years ago, there was an expensive litigation necessary to establish rights. As to the tithes: there are some fields in Winfield, rateable to that parish, but paying tithe to Farley. In some instances, one and the same field pays one moiety to one Rector, the other moiety to the other. At the Tithe Commutation in 1838, all these matters were, at great trouble and expense, investigated and settled; but fresh comers into the parish of Winfield are sometimes not a little puzzled to understand why they are called upon to pay rent-charge in lieu of tithes, not only to their own clergyman, but to the incumbent of another parish in a different diocese. The example set by Walter Lord Hungerford, K.G., temp. Hen. VI., in uniting and annexing a church in one county and diocese, with a church in a different county and diocese, is one which Patrons, Bishops and Rectors, as they love parochial simplicity and peace, will do wisely—never to follow.

The following document is therefore presented, not as containing

a precedent to be adopted, but only as a very curious legal instrument, probably unique of its kind, among Records relating to the County of Wilts.

Act of Union and Annexation of the Two Churches of Farley Hungerford in the Diocese of Bath and Wells and Rowley *aliàs* Wittenham in the Diocese of Sarum.[1]

24 November, A.D. 1428.

To all the faithful in Christ unto whom these present letters shall come and whom either now or hereafter the matters herein written may in any wise concerne: John by Divine permission Bishop of Bath and Wells,[2] Greeting, &c.

Be it known to all by these presents that we have lately received from our Reverend Brother Robert by the grace of God Lord Bishop of Sarum[3] certain Letters sealed with his seal directed unto us, and presented on behalf of the Noble and Puissant Lord, The Lord Walter Hungerford, Lord of Haytesbury and Homet and Patron of the Parish Churches of Farley Hungerford in our Diocese, and of Rowley *aliàs* Wittenham in the Diocese of Sarum: whereof the tenor is as follows:—

"To The Reverend Father and Lord in Christ, the Lord John by the grace of God Bishop of Bath and Wells, Robert by Divine permission Bishop of Sarum, Health and continual increase of sincere love.

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[1] The Latin document, here translated, was discovered in the fine Cartulary of the Hungerford family, (containing copies of more than 1300 deeds,) in the possession of the late Rt. Hon. Henry Hobhouse, of Hadspen, near Bruton, Co. Somerset, who many years ago kindly placed the volume at the present writer's service for a considerable time.

[2] John Stafford, appointed to Bath and Wells, 12th May, 1425. Translated to Canterbury, 1443. It may be mentioned here, that Archbishop Stafford is believed to have been born a few miles from Farley Castle, in the parish of North Bradley, at Southwick Court, which then belonged to his family. In North Bradley Church (attached to the North side) is a pretty little mortuary chapel, erected by the archbishop in memory of his mother Emma, buried there.

[3] Robert Neville, appointed Bishop of Salisbury in A.D. 1427.

"On the part of the Noble Lord, the Lord Walter Hungerford, Lord of Haytesbury and Homet, and Patron of the Church of Rowley *aliàs* Wittenham in our diocese, it hath been by his own suggestion set forth unto us that the said Church of Rowley *aliàs* Wittenham which was wont to be governed and ordered by secular Chaplains,[1] successively thereunto admitted, taking and exercising the charge of the said Church and the Parishioners, hath been so impoverished, and the fruits, profits and emoluments thereof have become so poor and scanty, that, for a long time there hath been found no secular chaplain willing to undertake or to occupy the church or be admitted to the Title thereof, and thus the church itself and the charge of the same have long been and now continue to be desolate and neglected, without any one to officiate therein: And the said Lord Walter Hungerford is also, as we are informed, Patron of the Parish Church of Farley Hungerford in the diocese of Bath and Wells, which Church is very near the aforesaid Church of Rowley *aliàs* Wittenham, the distance from the same not exceeding one half mile, so that Divine Service and the Offices of religion may be performed at the said Church of Rowley *aliàs* Wittenham by the Rector of the said Church of Farley Hungerford and the said Parishioners of Rowley *aliàs* Wittenham may conveniently go to the aforesaid Church of Farley Hungerford to receive the Sacraments and Sacramentals,[2] and to attend Divine Services: Therefore the aforesaid Lord, seeing the cure of the aforesaid Church of Rowley *aliàs* Wittenham and the charge thereof so long neglected, and the parishioners deprived of the means of divine worship, from the causes aforesaid, as it is alleged, hath made earnest suit to us, that we weighing these circumstances would give our consent and authority to carry into effect by force of law the

[1] That is, Priests who lived "in seculo," in society among the people, like parish clergymen: as distinguished from "Regulars" who lived within the walls of their monasteries "ad regulas," according to the "Rules" of their house.

[2] "Sacramentals."—The word is used by Beza (quoted in Hooker's Eccl. Polity., Lib. iv., 1, 4. Edit. Keble,) to denote "any ceremony importing signification of spiritual things." It is also used by H. Wharton on Burnet's Hist. of Reformation: "Sacraments, Sacramentals, Dirigies." Burn, Eccl. Law, 1, 67, calls *burials* and *tithes*, Sacramentals.

Union and Consolidation of the said church of Rowley *aliàs* Wittenham with the said Church of Farley Hungerford, so that the Offices of Religion may be fitly provided, according to certain regulations hereafter for ever, for the Parishioners of the said church of Rowley *aliàs* Wittenham, by the Rector for the time being of the said church of Farley Hungerford or some other chaplain in his stead.

"Upon all and each of these considerations, and after solemn inquisition made by trustworthy and discreet men set to procure the best information upon this matter, the Parishioners of the said Church of Rowley *aliàs* Wittenham, with others herein concerned, having also been called together, by our authority and mandate, and the truth of the matters now stated, having been satisfactorily established before us by proofs and documents, and all and singular the premises above set forth to us by the aforesaid Lord Walter having been found to be in all respects true; and the express consent of all parties therein interested having been specially required and duly communicated to us;

"We do therefore by these presents convey unto you Reverend Father, our authority to act for us in the said Union and Annexation in form of law, requiring observance of the conditions following: That is to say:

"The Parishioners of Rowley *aliàs* Wittenham shall not be bound to repair the Nave of the aforesaid Church of Farley Hungerford but only to repair and maintain the Nave of the Church of Rowley *aliàs* Wittenham aforesaid.

"Furthermore, the Rector of the said Church of Farley Hungerford for the time being shall say or cause to be said in the said Church of Rowley *aliàs* Wittenham every year hereafter for ever, One Mass on the feast of St. Nicholas (December 6) to whose honour the said Church is dedicated: And another Mass on the Feast of the Nativity of the Blessed Virgin Mary (September 8). And that the Rector of the Church of Farley Hungerford and his successors shall each successively repair, and maintain at his own proper cost and expense the Chancel of the said Church of Rowley *aliàs* Wittenham. Reserving moreover for the indemnification of ourselves

and of our successors in our Church of Sarum, and of the Archdeacon of Sarum for the time being, in lieu of fees upon Institutions and Inductions to the said Church of Rowley *aliàs* Wittenham, the following payments, viz., viii pence to ourselves and our Successors Bishops of Sarum, viii pence to the Dean and Chapter of Sarum, and also viii pence to the Archdeacon of Sarum, for the time being, to be well and truly paid every year after the Union aforesaid upon the Feast of the Annunciation of the Blessed Virgin Mary (25 March), by the Rector of the said Church of Farley Hungerford and his successors for ever in the same. Saving always in all things our Episcopal rights and those of our Archdeacon in the rents profits and charges from the said Church of Rowley *aliàs* Wittenham due and accustomed from ancient times; saving also the dignity and diocesan privilege of our Church of Sarum as well as the bounds and precincts of our Diocese from all violation whatever.

"And we pray you that on the completion of this act, ye will vouchsafe to communicate to us, whatsoever ye shall have done therein by your Letters Patent ensealed with your seal, embodying within them, the contents of these presents.

"Given under our Seal for Temporalities[1] at our Manor of Remmesbury[2] 22nd September A.D. 1428, in the first year of our consecration.

"Provided further that the Books, Vestments, and other ornaments of the said Church of Rowley *aliàs* Wittenham shall remain in the said Church, to be preserved without any alienation whatsoever.

"And Whereas upon the receipt of these Letters from our Reverend Brother Robert, Bishop of Sarum, it hath been set forth and declared to us upon the part of the aforesaid Noble Lord Walter Hungerford Lord of Heytesbury and Homet, Patron of both

[1] "Sigillum ad causas:" meaning the particular seal used by Ecclesiastics in office, Chapters, &c., in executing deeds relating to matters of worldly business. This custom existed in the previous century, the 14th. "Pour le temporel" is the explanation given in the preface to "Collection de Sceaux." Paris, 1863.

[2] Ramsbury, in the North-east of Wiltshire: from A.D. 909 to A.D. 1075 the seat of a distinct Bishoprick: after that, and at the time of the date of this document, one of the residences of the Bishop of Sarum.

the aforesaid Churches of Farley Hungerford and Rowley *aliàs* Wittenham, that all and singular the declarations made in the said Letters are true, and it hath been further made known to us on the part of the said Lord, that the Parish Church of Farley Hungerford being in his patronage, is moderately endowed, and that the profits and emoluments thereof have also so greatly decreased that he who is or shall be Rector of the Church of Farley Hungerford shall hardly be able out of the revenues thereof duly to meet and sustain the burdens incumbent on him as Rector; And whereas the said Noble Lord hath in consequence thereof earnestly besought us that we would deign to take into our consideration all the particulars set forth in the Letters aforesaid, And, that for the relief as well of the Rector of the Church of Farley Hungerford and all his successors, as of the Church itself, and in order to lighten the burdens aforesaid, We would consent to unite the said Church of Rowley *aliàs* Wittenham its rights and appurtenances, with the said Church of Farley Hungerford to the proper use of every Rector of the Church of Farley Hungerford, and furthermore that we would do and ordain in due form what shall be required on this behalf, by our own authority and that of our Reverend Brother Robert Lord Bishop of Sarum as conveyed to us by our Reverend Brother in the Letters aforesaid. And whereas in the meantime by the joint authority of our Reverend Brother and ourselves lawful enquiry hath been made into the circumstances, and by inspection of muniments, deeds, and other evidences produced in this behalf by the Noble Lord, it doth appear that as concerning our present purpose they are thoroughly sustained by truth, We therefore John Bishop of Bath and Wells lawfully proceeding upon the petition of the said Noble Lord in the matter of this union, In the Name of Christ to which we now appeal, by the authority and with the license and consent of our Reverend Brother Robert Bishop of Sarum and with the goodwill and consent of all herein concerned (grave and careful discussion having been first holden with the same) have declared and by these presents do declare that for the union of the said church of Rowley *aliàs* Wittenham to the Church of Farley Hungerford we do find in the premises full, true, sufficient profitable meet and lawful cause.

"MOREOVER for the benefit of both the Parish Churches aforesaid and of the Parishioners of the Church of ROWLEY *aliàs* WITTENHAM and to the end that they may not any longer be deprived of Divine offices or of the Sacraments and Sacramentals of the Church, nor be left any longer destitute of spiritual advantages, With the consent of our Rev^d^, Brother, ROBERT, BISHOP OF SARUM Diocesan of the said Church of ROWLEY *aliàs* WITTENHAM and of all others herein concerned, after due and proper notice first given, and faithfully adhering to the requirements made in this behalf by the laws, BY our authority as Ordinary, as well as by license of our Rev^d^. Brother ROBERT, BISHOP OF SARUM Diocesan of the said Church, herein conveyed to us,

"WE do canonically unite incorporate and annex the Parish Church of ROWLEY *aliàs* WITTENHAM with all its rights and appurtenances to the Parish Church of FARLEY HUNGERFORD and do grant it to the proper use of every Rector of FARLEY HUNGERFORD and of the Church itself, to be held by them for ever.

"Furthermore that it shall be lawful for every Rector for the time being of the said Church of FARLEY HUNGERFORD by himself or by his lawful representative upon authority of these presents to enter into the said Parish Church of ROWLEY *aliàs* WITTENHAM and into the actual possession of the same, and to take and obtain possession thereof, and having taken, to keep and hold; and to receive all profits, rents, revenues, rights, tithes, oblations and obventions whatsoever due or belonging to the said Church of ROWLEY *aliàs* WITTENHAM and the same to apply to the use and advantage of the said Rector, for the time being, of the Parish Church of FARLEY HUNGERFORD for his own relief and for the support of the burdens aforesaid.

"MOREOVER, that it shall be lawful for the Rector for the time being of the said Church of FARLEY HUNGERFORD to receive and to admit all parishioners of the said Church of ROWLEY *aliàs* WITTENHAM both that now are and hereafter for ever shall be, to attend Divine Service and to take and receive the Sacraments and Sacramentals of the church from the Rector of the said Church of FARLEY HUNGERFORD or his deputy: And for ourselves and our Rev^d^. Brother ROBERT, BISHOP OF SARUM we do give and grant our leave and license to the said Parishioners of ROWLEY *aliàs* WITTENHAM to

frequent the said Church of FARLEY HUNGERFORD for attendance on Divine Service and for receiving the Sacraments and Sacramentals of the Church, without seeking leave or license from any other for the same.

"APPOINTING and ordaining, and thus we appoint, ordain and decree; That by virtue of the said Incorporation and Annexation, so long as they hold good and endure and by force and under protection thereof, the said Rector for the time being of FARLEY HUNGERFORD shall duly attend to the Cure of the Parishioners of ROWLEY *aliàs* WITTENHAM, and shall hold the said Cure fully and effectually, and that all Parishioners whatsoever of the said Church of ROWLEY *aliàs* WITTENHAM shall obey and wait upon every Rector for the time being or his Curate and shall acknowledge him as their own Rector or Curate and shall pay or cause to be paid to him every year for ever, and to his deputies, all tithes, oblations and other spiritual revenues whatsoever and whensoever issuing through and from them and their goods, belonging or rightly owing unto the Church of ROWLEY *aliàs* WITTENHAM and shall duly satisfy him for the same.

"As to the repairs, improvement and restoration of the Nave of the said Church of ROWLEY *aliàs* WITTENHAM and the Fence of the Church-yard of the said Church, and as to the provision and maintenance of the ornaments of the said Church of ROWLEY *aliàs* WITTENHAM by right or custom, or agreeably to Provincial or Synodal Constitutions which charges have hitherto pertained or been used to pertain to the Parishioners of ROWLEY *aliàs* WITTENHAM, these we pronounce to belong unto the Parishioners of the Church of ROWLEY *aliàs* WITTENHAM for ever.

"But our will is that they, the said Parishioners, shall in no wise be compelled to contribute to the repairs, improvements or renovation of the Nave of the Church of FARLEY HUNGERFORD or of the Fence of the Church-yard of the said Church, or to the provision or repairs of Books or any ornaments of the said Church.

"ALSO as to the repairs and renovation of the Chancel of the Church of ROWLEY *aliàs* WITTENHAM, so long as the union shall endure these we ordain to belong to the Rector of FARLEY HUNGERFORD.

"WE also will and ordain by our Authority as Ordinary as well

as by the authority conveyed to us by our Rev^d. Brother ROBERT, BP. OF SARUM: that every Rector of the said Church of FARLEY shall say or cause to be said every year, MASSES and other Holy Services in the said Church of ROWLEY *aliàs* WITTENHAM upon the FEAST OF ST. NICHOLAS (6 Dec.) in honour of whom the said Church is built and consecrated, and upon the day of the Nativity (Nov. 8) of the BLESSED VIRGIN MARY, and upon the day of the DEDICATION of the said church.

"AND forasmuch as in all likelihood there will be from this time forth no vacancies in the said Church of ROWLEY *aliàs* WITTENHAM, in consequence of which, unless compensation be made, detriment would arise to our Rev^d. Brother ROBERT, BISHOP OF SARUM and to the Archdeacon of the Archdeaconry of Sarum within whose circuit the Church of ROWLEY *aliàs* WITTENHAM is situate,

"WE therefore JOHN, BISHOP OF BATH AND WELLS, by authority aforesaid, do ordain that in order to make good the rights of the Bishop of Sarum, the Dean and Chapter of Sarum and the Archdeacon of Sarum, proper indemnification be made unto the same. And our will is that the annual pensions before mentioned, to wit: viii pence to the Bishop of Sarum for the time being, viii pence to the Dean and Chapter, and viii pence to the Archdeacon of Sarum, shall be well and truly paid upon the Feast of the Annunciation of the Blessed Virgin Mary or within eight days following by the Rector of FARLEY HUNGERFORD, or his deputy in his name, every year for ever.

"ALBEIT, by these our ordinances we intend no prejudice in any sort to the dignity of the Bishop of Sarum or the rules of his Diocese, nor to meddle with the jurisdiction, bounds and precints, either of the Bishoprick or Archdeaconry of Sarum; but we will that they shall continue in their force, vigour and effect, as they have hitherto been, according to the full meaning of the law without any violation whatsoever by reason of the premises.

"FURTHERMORE, we will and ordain that the Books, Vestments, and other Furniture of the Church of ROWLEY *aliàs* WITTENHAM now or at any time thereunto belonging shall remain within the Parish of the said Church itself without any alienation whatsoever in

any wise to be made; and we will that they may be kept in safety, so long as they shall last, by one of the Parishioners of the said village of ROWLEY *aliàs* WITTENHAM residing therein to be chosen and deputed by the common consent of the Parishioners themselves.

"AND whereas the emoluments of the aforesaid Church of FARLEY HUNGERFORD being augmented by the union aforesaid, the charges afore and hereinafter mentioned can be more easily and without weariness endured, WE appoint, and with the consent of [JOHN GLOUCESTRE] now Rector of FARLEY HUNGERFORD, do ordain that the said [JOHN GLOUCESTRE] Rector of the said church of FARLEY HUNGERFORD and his successors for ever shall upon the ground of this annexation support and discharge the burdens hereinafter mentioned every year for ever, viz.:

"That upon the 2d day of December, [JOHN GLOUCESTRE] now Rector of the Church of FARLEY HUNGERFORD and every succeeding Rector for the time being, having there gathered unto him SEVEN CHAPLAINS specially sent for and invited for this purpose, shall solemnly chant and celebrate or cause to be chanted and celebrated, devoutly and with effect, in the said Church of FARLEY HUNGERFORD **A Service for the Dead,** viz.: a **Placebo** and a **Dirige.** And upon the 3rd day of the month of December, **A Solemn Mass** and **Seven other Masses** by the SEVEN CHAPLAINS aforesaid, so far as can by any means be done every year for ever: '**For the Souls of good memory of Sir Thomas Hungerford Knight, and of Johanna late his wife the deceased Parents of the aforesaid Walter Hungerford: And for the welfare of the Lord Walter himself and of Katharine his wife and of their Sons and Daughters so long as they shall live. And for the souls of the same Lord Walter and Katharine and of their sons and daughters after they have departed this life, and for the Souls of all the faithful deceased.**' And upon the said 3rd day of December every year for ever the Rector and his successors shall treat the SEVEN CHAPLAINS there present and officiating to a fair entertainment of Meat and Drink. And, after dinner, upon the same day, to wit, the 3rd of December, they shall pay unto each of the said

Seven Chaplains Four Pence apiece for the service aforesaid. And the Rector and his successors shall cause to attend at the said **Masses**, every 3rd of Decr., **Thirteen Poor Folk**, to pray God for the Souls aforesaid, to each of whom when the said **Masses** are ended, shall be well and truly paid and delivered One penny in the name of the said souls.

"And the said [John Gloucestre] now Rector of the Church of Farley Hungerford and his successors shall provide Two fair wax Tapers, each of them weighing of wax one pound, to burn continually during the whole time of the Chaunting of the **Service for the Dead** and the **Masses**, every year for ever.

"And we will and ordain that the Rector for the time being shall be bound to provide in manner aforesaid and to be accountable for the charges of the Funeral Service, masses, entertainments, alms and wax tapers, under penalty of xx shillings to be applied to the building of our Cathedral Church of Wells, and on pain of being suspended from receiving the emoluments of the two churches aforesaid. And this penalty we hereby decree to be put in force against any Rector at once, and as often as he shall fail in this matter.

"Furthermore we do also appoint that before the present Rector shall enter upon the possession of the Church of Rowley *alias* Wittenham he shall be put to his corporal oath upon the Holy Gospels of God faithfully to observe the premises so far as they concern him, so long as he shall continue to be Rector of the Church of Farley Hungerford, whilst this union and annexation shall endure. And in like manner let every Rector him succeeding in the same, at his Induction to the Church of Farley Hungerford be bound by the like Oath conformably with this our Ordinance.

"Reserving always, to ourselves and to our successors, Bishops of Bath and Wells, the right to alter these statutes, to take from or add to them, or otherwise adjust them, for the benefit of the Churches aforesaid.

"And to this end that no one may hereafter call in question the original Letters (hereinbefore set forth) addressed to us by our Reverend Brother Robert, Bishop of Sarum, the whole tenor whereof is in these presents contained; and that no damage may

accrue to the Rector of the Church of FARLEY HUNGERFORD and his successors through non-exhibition of the same; seeing that the said original Letters of our Rev^d. Brother ROBERT, BISHOP OF SARUM cannot always be produced,

"WE, JOHN, BISHOP OF BATH AND WELLS, upon the request of the LORD WALTER HUNGERFORD, Patron of both the Churches, and of the aforesaid [JOHN GLOUCESTRE,] Rector of the Church of FARLEY HUNGERFORD, have specially commanded the exact purport of the Letters aforesaid to be largely truly and wholly within these presents embodied and inscribed, in order that the same implicit reliance may be for ever thereon placed as on the original Letters themselves.

"IN WITNESS and assurance of which things all and singular, we have to these presents caused our seal to be attached.

"Given at our PLACE[1] in LONDON the xxiv^th day of November, 1428, and in the fourth year of our Consecration."

DEEDS relating to Rowley *aliàs* Wittenham, in the "Hungerford Chartulary;" translated from the Latin and abridged.

"THE LANDS AND TENEMENTS FORMERLY HAMUNDE'S.

1. Roger de Sancto Laudo [St. Lo] grants to Walter Brutun a virgate of land in "Rueleia," held by Johes. Clericus: and a messuage, in y^e occupation of "Petrus Pistor" on the E. side of a meadow belonging to the virgate, with half an acre on the South side, next to the arable called "*Worthehes*," with another half acre lying in the East field near the *Noreshall*. Paying annually a pound of pepper, and on condition that the said Walter answers for those lands to the King for the 40^th part of a Knight's fee. Furthermore the said Roger grants that Walter shall have pannage for six swine in his [Roger's] woods yearly, and six loads of fuel from his woods, the week before Christmas. Warranty given against all men and women. Witnesses, Rob^t. de Mucegros, Rob^t. de Bekeford, Robert Clerk, William Blundell, Roger, son of Ralph, Alexander de Montford, Hamon Ursel, and many others. [*No date.*]

2. John Bruton grants the aforesaid messuage and virgate, (formerly held by his Father Walter B), to his daughter Catherine and her heirs; Yielding for the same, a pound of pepper at Michaelmas to the Lord of the Fee, and to him the said John a Rose at Midsummer. Witnesses John de St Lo, Lord John Lovel, Junior, Kt: Henry de la Cleye,* Gervase de Suddebur', Richard de Bath, *Sir* Richard Vicar of the Monistr' for the time being, Gilbert de Hestoker and others. [*No date.*]

[1] "Place,"—the proper word for a Bishop's residence in or near London. Burn's Eccl. Law., vol. 1., p. 218.

* Perhaps Clay Farm, still in the parish of Bradford.

3. I John le Bruton of Hynton grant to Roger de Sokerwyke with Katherine my daughter in free marriage, all that Manse, land and tenement &c., in the village of Rowlegh, in tail. The said Roger and Katherine to pay a Rose at Midsummer. Witnesses, John de St. Lo, Roger de Clifton Ad(am) de Button, Kts., William de Greenvyll, Robert *Marumz*(?) Roger de Sokerwyke, Henry de la Cleye, and others. *(No date.)*

4. The Lord Roger of Clifton Kt., confirms to Roger Hamund of Schockerwyke and Catharine his wife the grant of the Virgate in Rowlegh made by Roger de St. Lo to Walter Bruton; on condition that they answer for the 40th part of a Kt's fee whenever the King's service runs. He furthermore confirms the gifts, of pannage in his Wittenham wood for six swine and of the fuel at Xtmas, without hindrance. For which confirmation the said Roger and Catherine pay half a mark of silver. Witnesses John de Holte, John de Comerwell Kts., Matthew de Cotele, William de Hall de Bradeforde, John de Ashlee, Stephen de la Slade, David de Avenclive, Thomas de Ford, then Bailiff of Bradford, and others.

5. Roger Hamund of Schockerwyke and Catharine his wife, jointly grant to Thomas their lawful son, the land and tenements in Rowlegh aforesaid. To yield annually the Rent of the Rose aforesaid; and to pay for this grant two Pairs of Gloves (duo paria cyrothecarum). Witnesses, John de Button, John de Holte, John de Comerwell Kts., John de Hanvylle. Will. 'de Aulâ de Bradeford.' JohnBasset, Roger de Berleye, David Lovel, &c. Dat. at Schockerwyke the day before the Feast of St Aldhelm. 30. Edw. I. (1302).

6. Thomas Hamund son of Roger of Shockerwicke, grants the aforesaid virgate and manse &c., to Robert Bavent of Ferneborwe, in consideration of 20 marks of silver received. Witnesses. John de Holte, Jno. de Comerwell K^{ts}. W^{m}. Hall of Bradeford, John de Yford, John George, John de Portâ de Bradford, and others. Dated at Rowlegh, Monday before the Feast of St. Luke the Evangelist. 32 Edw. I. (Oct. 1304.)

7. Roger son of Roger Hamund quit claims to Thomas his brother the said virgate and Manse, wh. the said Thomas held by gift from his Father Roger H. and Catherine his wife. Same witnesses. Dated at Schockerwicke, day before Feast of St. Barnabas the Apostle. 33 Edw. I. (June 1305.)

8. Robert Bavent of Ferneberwe quit claims to Thomas son of Roger Hamund the virgate and manse which he Robert held by grant from said Thomas. Witnesses. Will^{m}. Hall of Bradeford, John Basset of Bradeford, John de Portâ of the same, John de Asshelegh, John de Yford, Clerie, and many others. Dat. at Bradeforde. Sunday after the Feast of the Purification of the Virgin Mary. A^{o}. R. R. Edw. fil. Reg. Hen. 33to. (Feb. 1305.)

ROWLEYGH.

(Manor and Advowson.)

9. KNOW all men, that I William Souche, knight, Lord of Tottenays and of Haryngworth am bound to Walter Hungerford, Knight, Lord of Heytesbury and of Homet in 250 marks sterling for merchandises bought of him in the staple at Westminster. To be paid to the said Walter or his attorney exhibiting this writing, his heirs or executors, at the Feast of the Annunciation of the B.V. Mary next after the date of these presents. If I fail to do this, I agree that the penalty named in the statute of the staple aforesaid for recovery of debts

of this kind, shall be in force against me, my heirs and executors. Dated at the said Staple, 12 Feb., 5. Henry VI. (A.D. 1427.)

THIS indenture made 12th Feb., 5 Henry VI., between William Souche, Kt. of the one part and Walter Hungerford, Kt. of the other part Witnesseth that although William [Souche] aforesaid is bound, as above written: Nevertheless the aforesaid Walter [Hungerford] grants by these presents that if William aforesaid and Alice his wife, within half a year following the day on which the said Alice shall reach the full age of 21 years, shall by a Fine to be levied in the King's Court acknowledge the manor of Rowleygh Co. Wilts, and the Advowson of the Church to belong to the said Walter; or if, the said Alice dying before such Fine be levied, the said William or his heirs shall duly pay to Walter the 250 marks; Then the bond to be of none effect: otherwise to remain in full force. In witness whereof, &c. Dated as above.

10. William Souche, Lord of Haryngworth conveys to Walter Ld. Hungerford, John Typtoft Lord Powys, Robert Hungerford Kt., Simon Sydenham, Dean of Sarum, John Juyn Kt., John Stourton Jr., Wm. Darell, Richd. Mulborne, Wm. Wolstone, Rob. Longe, and John Carter, Clerk, and to the heirs of Walter, All his manor of Rowlegh with the advowson of ye church of Rowleygh. 12 Feb., 6 Hen. VI. (1428.)

11. Wm. Souche, Lord Haryngworth appoints John Twynyho and Roger Trewbody attornies to deliver possession. 12 Feb, 1428.

12. John Typtoft, Robert Hungerford, &c., quit claim to Walter Hungerford, Wm. Darrell, Robert Longe and their heirs, all rights which they ever had conjointly with ye said Walter, Darell, and Longe, in Rowlegh *aliàs* Witnam. Witnesses to this deed. John, [Kemp] by divine permission Archbishop of York, Chancellor of England:—William, [Alnewick] Bishop of Norwich, Keeper of the Privy Seal of our Lord the King: William Lord Botreaux, Humphrey Stafford, Kt., Edmund Cheyne, John Fortescu, Richd. Bamfeld and others. Dated at Rowleygh *aliàs* Witnam, on the Feast of the Nativity of John the Baptist, 7 Hen. VI. (1429.)

Enrolled on the back of the Close Roll of Chancery the month and year within written.

13. Final concord, at Westminster, a fortnight after St. Martin's Day, 8 Hen. VI., before Wm. Babyngton, John Martyn, John Juyn, James Strangeways and John Cottesmore Justices, and others, betn. Walter Hungerford Kt., Wm. Darell, Robt. Longe, and John Twynyho Quer', And Wm. Souche, Kt., and Alice his wife, Deforcts for ye Manor of Rowlegh. For the Recognition, &c., Hungerford paid Souche 200 marks of Silver.

14. Walter Hungerford quit claims to Darell and Longe. Witnesses, Wm. Ld. Botreaux, Humphrey Stafford, Stephen Popham, Edw. Cheyne Kts. John Pawlet, John Beynton, John Fortescu, Rich. Bamfeld. Dated at Rowlegh *aliàs* Witnam, Christmas Eve, ["in vigilia Natalis Dni."] 8 Hen. VI. (1430.) [Enrolled, &c., as above.]

15. William Darell, Rob. Longe and John Twynyho have conveyed to Walter Hungerford, Lord Heytesbury and Homet, Sir Philip Courtenay Kt., John Baynton, John Pawlet de Nony [Nunney] Thomas Brown, and John Fortescu, the Manor of Rowlegh: for term of the life of the said Walter: after his death to the Heirs male of his body: Remainder to the Heirs of His body:

Rem^{r}. to the right heirs of the said Walter. Witnesses, the same as the last, with the addition of Walter Paunsfot, and Rich^{d}. Milburne. Dated at Rowlegh *aliàs* Witnam, Sunday before the feast of St. Hillary, 8 Hen. VI. (1430.) [Enrolled, &c., as before.]

16. Darell, Longe and Twynyho appoint attorneys, Walter Serjant and W^{m}. Burgh, to deliver to Walter Hungerford, Courtenay, Baynton, &c., possession of the Manor of Rowley, to have and to hold &c., as in y^{e} last deed. Dated as above.

17. Walter Hungerford, K^{t}., L^{d}. Haytesbury &c., appoints his attorneys Thomas Ferrour, Clerk,* and Thomas Bedit, to receive from Darell, Longe and Twynyho possession of the Manor of Rowlegh *aliàs* Wittenham: also to receive from Thomas, Prior of the Church of St. Swythnay Winton, and the Convent there, full and peaceable possession of and in Two acres and one rood of land in 'Rowley Felde' near Yvorde. And also from Thomas, Prior of the Carthusian House of God at Hinton, and from the convent there, possession of Two acres and a half of land lying in the field called Rowlegh Felde near Yvorde, by virtue of two deeds to that effect. Dat. the Feast of Ascension, 8 Hen. VI. (1430.)

18. John de Saint Maur, Esq., Son and Heir of John de St. Maur late Esquire, quit claims to Walter Hungerford Lord Haytesbury all his right in the Manor of Wytnam otherwise called the Manor of Rowlegh. Witnesses, John Stourton, John Baynton, K^{ts}., John Pawlet, Robert Longe, Rich^{d}. Milborn, John Fortescu and others. Feb. 4., 13 Hen. VI. (1435.)

19. Bond. John St. Maur Esq. in 100 pounds sterling to Walter Hungerford, K^{t}., to be paid at the Feast of St. Gregory, Pope, next ensuing. Dated 4 Feb. 1435.

The condition: That if Walter Sandes, K^{t}., and Margery his wife (mother of John St. Maur aforesaid) before the Feast of Holy Trinity next ensuing shall at the cost of W. Hungerford, by Fine levied, release and quit claim to him all their right in the Manor of Witnam *aliàs* Rowley and warrant the same against all the world, then the bond to be of none effect. Provided always, the Bond to be delivered up to said John St. Maur, to be cancelled.

20. Final concord at West^{m}. one month after Easter, 13 Hen. VI., before W^{m}. Babyngton, John Martyn, John Juyn, James Strangeways, John Cottesmore and W^{m}. Paston, Justic', bet^{n}. Walter Hungerford, Courtenay, &c. Quer', and Walter Sandes and Margaret his wife for the Manor of Witnam, and advowson of the church of Witnam. For which, Walter Hungerford gave to Walter Sandes and Margaret 300 marks of silver."

J. E. Jackson.

* He was then Rector of Farley Hungerford.

Records of the Rising in the West.

JOHN PENRUDDOCK, HUGH GROVE, ET SOCII.

(Continued from Page 188.*)*

"GOING the Western Circuit" in the seventeenth century, was an affair of labour, if not of adventure. Some of the Judges, and perhaps some of the leading counsel may have crawled in their coaches over the rough grass tracks, protected by a retinue of servants, or the sheriff's guard; some bolder spirits, such as Maynard, walked; but by far the larger number rode; three, four, or half-a-dozen together, well armed to guard their fees, and their throats, over the pleasant uplands of the West. Labour there was, though not professional, in the long rides from early morn till night; adventure too for the solitary, the unwary, or the laggard; highwaymen and foot-pads plied their trade with varying success. The Lord Protector set his face against these marauders with his usual vigour.

"Many robbers on Salisbury Plain are apprehended, and to be tryed for their lives; it would be wel if all robbers were served in the like kind." *

Some kindred worthies were in Hampshire a month later, and broke into the house of a Mr. Ball, whilst he was away from home; his wife unfortunately fell into their hands, and on her refusing to disclose the valuables of the place, they hung her with her garters; and then made off, possibly being disturbed by the rescuers, who arrived just in time to save Mrs. Ball's gallant life. The thieves were all taken in London, recognized by their victim, and committed to Newgate.[1]

There is an entry in the Western Circuit Order Book of a later date, which also discloses the insecurity of one of the great western roads at that time. The county of Southampton, Winchester Castle,

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* *Weekly Intelligencer*, February 20th, 1655. K.P., Sm. Qto. No. 635.

[1] *Perfect Account*, March 28th, 1655. K.P., Sm. Qto. No. 637.

assizes held July 13th, 1670. (22 Car. II.) The order quotes a presentment by the Grand Jury of the County on the 14th of July in the preceeding year.

"That Popham's Bushes, or Hunt's Bushes on Popham's Beacon, were a harbour for Robbers, and that the said Bushes were near to the great highway leading out of the West towards London. That Mr. Hunt the proprietor should be advised, by the Constable of Micheldever, to cut them; and in default of his doing so, he was ordered to attend the next assizes, and answer why he had not."

But to return, somehow or other, by the 18th of April, 1655, all the Commissioners arrived at Exeter, except Mr. Justice Wyndham; who perhaps thought that his labours at Salisbury entitled him to repose. He apparently never was there at all, and did not rejoin the circuit till Chard.[1]

The sedulous Mr. Nutley had preceded the Judges, and gives the following account of his doings to Mr. Secretary Thurloe:—[2]

"Maie it please you, Sir,

I came from Sarum to Exceter this morning, the Judges intending to bee here tomorrow. Since my comeing hither, I have spoken with the high sheriffe of this county, whome I finde very active in this service. Hee told mee, that on fryday night last, (April 13th) after Penruddock came into the prison, the prisoners had agreed together to make an escape, and to breake through the guards that night; but hee by the tymely intelligence given to him, doubled the guards, and prevented that designe. I have spoken with severell persons since I came to towne, who are fit to be used as witnesses, and doe believe the evidence will be cleare against them here. I suppose Mr. Serjeant Glynne will give the charge here, and manadge the bussinesse in the Court, which may very much advantage the service. It might have been manadged better at Salisbury. Mr. Attorney-General intends to lodge here at one Mr. Snowe's house, an Alderman of this city.* I lodge at one Mr. Westlake's house, the towne Clerke of Exceter, who tooke diverse Examinations of the prisoners and witnesses, and is very useful in the service. If Harrison or Turner come hither, I shall be carefull to observe their action, and to give your honour speedy notice of it. The high Sheriffe also tells mee, that one Bennet a prisoner told him, that Penruddocke and the rest of the prisoners had agreed together to stand

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[1] Attorney-General's Letter, 3 Th., 398. In a former one he mentioned Mr. Justice Wyndham as purposing to rejoin them at Exeter; in this he says nothing of his presence there, though he speaks of that of the other Judges, "Mr. Justice Wyndham is expected to meet us at Chard."

[2] Ibid, 381.

* Scarcely the M.P. for Exeter in the Long Parliament; Mr. Nutley would mention it.

mute, and not to acknowledge the jurisdiction. Sir, the post hastens, which makes mee thus hastily scribble.

Begging your honour's pardon, I humbly rest,

Your honor's most humble
and obedient servant,
JAMES NUTLEY.

Exeter, April 16, 1655.

The High Sheriff for Devon that year was Sir John Copplestone, a zealous friend to the Protector. He supported the dignity of his great and wealthy county with ample generosity; and as Dove, High Sheriff of Wiltshire appeared with his retainers at Exeter, we have it recorded, that the liveries of "the men of Devon" were the smartest, as of course they should have been.[1] Moreover he entertained the Judges and His Highness's counsel "very gallantly."[2] He appears also to have spared no expense in fitting up a Court in the Castle, which was used then for the first time; before its existence the Circuit Order Book speaks of the assizes as having been held "att the Gaole Garden." There is in Jenkin's History of Exeter a plan of the city, as it was somewhat before those days, drawn, "so he says," from Leland's description of it. In this the gaol is placed a short distance to the right of the street leading from the High Street to the Castle, (Castle Street) and close under the exterior walls of the rampart. Some court-house there was no doubt, in the garden adjoining this gaol, which had been used till that occasion.

The entry in the Circuit Book is as follows:—

"Devon. Att the Commission of Oyer and Terminer and general gaole delivery of the county aforesaid holden for the county aforesaid att the Castle of Exeter in the same county the Eighteenth day of April, 1655. Before John Lisle one of the Commissioners of the Great Seale of England, and Henry Rolle Cheife Justice assigned to hold pleas before the said Lord Protector in the Upper Bench, Westminster, Robert Nicholas one of ye Barrons of ye publique Exchequer, John Glynne, ye serjeant to ye said Lord Protector, and Wm. Steele, Serjeant at Lawe and Recorder of ye City of London.

Ffor the halle in Exeter Castle. Whereas it appeareth to this Court That the High Sheriffe of this County hath disbursed a great some of money amountinge to the some of——— or upwards for to prepare a halle in the Castle of Exceter fittinge for the assizes and Quarter Sessions to be kept. This Court doth therefore desire, the Justices of ye peace of this County, att their next Quarter Sessions, to take some speedy course for the repayment of such monies, as the high sheriffe hath disbursed as aforesaid, by the Inhabitants of the whole County, or by such other meanes as they shall think fittinge."

[1] *Perfect Proceedings*, May 3rd, 1655. [2] Ibid.

Two other orders follow, one of which relates to the prosecution of one William Costine, accused of the manslaughter of his wife, the other to a dispute between the parishes of Upton Pyne and St. Giles's near Torrington, Devon, as to the settlement of a poor impotent man, John ffurseman. Neither have anything to do with the Rising in the West.

It is well to observe the names above once again, Rolle and Nicholas both present, and Windham absent; and the entry may be relied on, for I find on reference to other entries, that only the Judges present in court were placed in the heading. For instance suppose two Judges were on circuit, only the one presiding in the Crown Court would be mentioned. Here there was only one Court, and that a Crown Court; and all five Judges are named and therefore present.

I have not been able to find any plan or view of High Sheriff Copplestone's Court. No doubt it was a great improvement, which Chief Justice Rolle and other Western Circuit Judges would be sure to compliment him upon. But it does seem rather hard, to call on the ratepayers to pay for a work they never authorized; carried out whether lavishly or otherwise they probably knew not; by a nominee of the Government, over whom they had no control.[1]

The Court then sat in great state on the 18th, and Mr. Serjeant Glynn delivered his charge to the Grand Jury.[2] We shall obtain some insight into the character of that address from the following letter:—

"*Mr. James Nutley to Mr. Secretary Thurloe.**

In obedience to your command, I humbly certify your honor, that the Grand jury here, although they first made diverse scruples upon the bills of high treason, the chiefest whereof was concerning the Statute laws, against which the offence is alledged to bee committed, what those statutes were, and then how they could be meant of his highnesse the lord protector; and they having the old Statute of 25 Ed. III. and the late ordinance; and it being given in charge by Mr. Sergeant Glynne very learnedly and fully, that by the Statute of 25 Edw. III. and the common law, the levying warre against the chief officer of the commonwealth (lett the name be whatsoever) was high treason, and by the word king in that statute must be meant the Chief officer (and the bearing of that office) the Major part of the Grand Jury were quicklie satisfied. I was

[1] The present Courts at Exeter are a separate building of much later date.

* 3 Th., 398.

with them all the tyme to manadge the evidence, and untill they privately debated the matter amongst themselves. Divers of the honest men amongst them privately blamed to mee the peevishnesse of theire fellowes, in making doubts where there was noe cause, and particularly of theire foreman, whose name is Cerrington Savory; and truly I found him at first somewhat wilful, as hee was scrupulous; but hee was overpowered by the rest. They have found true bills against all those prisoners named in the list, which Mr. Attorney hath now sent to your honor, &c., &c.

Exon. April 21st, 1655.

With regard to the Juries that the same caution was taken here as at Salisbury, and perhaps even more, we may feel certain from General Disbrowe's promise to Thurloe "to take what care he could with the Sheriffe of Devon" on the subject,[1] and also from a letter of the Attorney-General's, April 21st, 1655 :—

"The Jurors we finde very well affected and willing to dispatche (!) the Cavaliers; and the difference amongst them, is to agree most speedilie."*

Amongst the Thurloe State Papers is the following remarkable composition, which is headed with the same date, and contains the instructions to the prisoners for their defence, evidently prepared by somebody well acquainted with the law. It has been already observed that no counsel could, in those days appear for a prisoner unless there were points of law to be argued; so prisoners were compelled to use such instruments, to do battle for their innocence. Several years after this some most fatal and flagrant miscarriages of Justice occurred, owing to the absence of proper cross-examination in behalf of prisoners. But not even then was there a change; and Jeffreys still later, sacrificed his hundreds without brow-beating counsel. At length, midst the purer and freer light that "Dutch William" permitted in England, his political opponents, the Jacobites, to save their own necks, carried an act which allowed those accused of treason to retain counsel, for facts as well as law.

"The Prisoners' Plea for themselves at Exeter, April 18th, 1655.†

1. We must enquire by friends of the jurors' names, and challenge any, whom we conceive engaged against us, and challenge them particularly,and give them no reason, for the law alloweth us to challenge 35 without shewing reason; but we must not challenge above 35 lest judgment pass against us as mutes, refusing legal trial, and so be pressed.

[1] See letter from Taunton, March 28th, 1655, given at p. 142, sup.

* 3 Th., 398. † 3 Th., 391.

2. Besides the 35 challenged without cause shewn, we may challenge any against whom we can shew cause; but the judge will declare whether it be a sufficient cause or no.

3. If any man hath named to the sheriff any one of the jurors remaining (by any saving his sworn officers, whose duty it is) and if two can prove it, the indictment and proceedings may be avoided by statute 11, Hen. IV., cap 9.*

4. We must not immediately upon the reading of the indictment plead Not Guilty, for then we can have no councill allowed, nor be admitted afterwards to plead the illegality of the indictment; but so soon as we have heard the indictment read, we may say, we conceive the indictment not sufficient in law, and that therefore we desire councill to speak for us at law, and this before we say Not Guilty.

5. If the judge ask us, why the indictment is insufficient, seeming to deny us councill we must say, it is neither grounded on the common law, nor statute, and the judges are sworn to execute only the laws.

6. If the indictment (as it will) do call the jury, jurors for the lord protector, then again let us alledge, that we are not legally indicted, for there are no such persons by the law of England; for neither the common law, nor acts of parliament do know or acknowledge any jurors for the lord protector.†

7. If any alteration be made in the indictment by the judges, then desire, that the evidence to the grand inquest may be given at the bar in open court.

8. If one of the grand inquest stands outlawed, it makes void the indictment; and if we know any such, we may challenge them, and demand the indictment to be vacated by virtue of a statute, 11 Hen. IV., cap. 9, and if the judges bid us prove them to be outlawed, we may demand time, and we will bring it under seal.

9. We may desire a copy of the indictment, though the judges positively deny it and urge my lord Coke for authority.‡

10. If we can find any incertainty in the indictment, either in time or place, let us alledge it against the sufficiency of the said indictment.

11. If the indictment express not particularly some open deed we did in levying war, except against it as insufficient, and still insist upon the assignment of councill to argue the whole, because it is a scruple in law worthy of great debate.

12. If the judges deny us councill tell them, others usually have had it and

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* The first three and the 6th and 8th refer to the jury. The Statute 11 Hen. IV. is correctly given—standing mute as of malice, in times prior to the Act 7 & 8 Geo. 4., c. 28 s. 2, brought forfeiture of goods, and "peine forte et dure;" that statute however permits a Judge to order a plea of "not guilty" to be entered under such circumstances. The judgment, peine fort et dure, was as follows: "That the man or woman shall return to the place from whence he or she came, and there shall be laid in some low and dark room, where he or she shall lie naked on the bare earth, without any litter, rushes, or other clothing (save a small covering), and that he or she shall lie upon his or her back, their heads and feet uncovered, and one arme shall be drawn to one quarter of the house with a cord, and the other arme to another quarter, and in the same manner shall be done with his or her legs; and there shall be laid upon his or her body iron and stone; so much as he or she may bear *and more;* and the next day following he or she shall have three morsels of Barley Bread without any drink, and the second day he or she shall drink thrice of the water, that is next to the house of the prison, *(except running water)*, without any bread, and *this shall be his or her dyet until he or she shall be dead.*"—From the office of Clerk Assize, published in London, 1694.

† 5 and 6 challenge the Protector's Government, and the authority of the court, and are founded on the argument that the Protector is not within the Statute of Treason. See p. 170, sup.

‡ Lord Coke's authority did not prevent the necessity of a statute to remedy this grave defect in our procedure for treason.

particularly Mr. Norbury was council for col. Lilburn, and the now judges Nicholas and serjeant Maynard were council for capt. Rolph, when he was accused for treason against the king.*

13. If the judges require it, give the exceptions in writing, but expunge what makes against us, if seen, and still obtain council and urge Humphrey Stafford's cause in the 1st of Hen. VII. for precedent.

14. If after arguing the case by council, or before, the judge overrule the plea, then insist upon the same plea to the jury, and put it upon their consciences, that God hath made them our judges, to judge between us and the judges; and that if we be found guilty, by the jury our blood will lie upon the jury, and the judges be acquitted; but if the jurors find us not guilty, the jurors are innocent, if we die.

15. If the jury seems fearful to clear us absolutely tell them the judges have overruled them; that it is the safest for the jury to find a special verdict, which leaves the point in law to all the judges, whether or no it is treason, whereby also the jurors will leave all the danger that can follow, and all the bloodshed on the judges.

16. Tell the jury that they are now to judge whether or no we have committed treason; and if they judge that to be treason, which is no treason, our blood will be upon them; and there can be no treason, nor ever was in England, but such as is made so by the common law, or act of parliament.

17. Let every prisoner allow of one juror whom another person hath challenged, and challenge him, whom another prisoner hath allowed, whereby every one of us shall have almost a distinct jury for himself, which juries possibly will differ in their opinions, at least it will puzzle the prosecutors to get so many several juries; therefore let every prisoner have pen and ink ready to note the names of the several jurors for several persons, who for one, and who for another.†

18. They cannot indict and try us all in one day, as it is in Kelloway, fol. 159, 6, which the lord chief justice Rolle declared to be law in the case of the Portugal ambassador's brother.‡

19. If they indict us for felony, we may say it is no felony, except it be done with a felonious intent; and the country knows, we did not intend to steale, but only to borrow the horses which is usual now-a-days, and as the soldiers did now at London and elsewhere, who came against them; and the sheriff of the county was present, when divers horses were seized, and did himself seize some, which were none of ours.

20. Also ask the prosecutor upon the trial, whether he can take his oath, that we took the horses with a felonious intent; and if he will not swear it, then ask the jury, whether they can take it upon their oaths we stole the horses, where the prosecutor himself will not swear it.§

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* Of Col. Lilburn's trial there is but a note of what happened at the first sitting. Though counsel were assigned, Mr. Norbury and Serjeant Maynard, neither of them appeared in Court.—5 Howell's St. Trials, 407.

Of Rolph's trial for a plot against King Charles the First's life at Carisbrook, there is only, as far I am aware, the notice in Clarendon, who expressly says that though he had "two councill" assigned to him, it was contrary to the law and custom of those cases.—XI. Clarendon, 198.

† Ingenious, very. ‡ The case of Don Pantaleone Sa.—5 Howell's St. Trials, 461.

§ No doubt there must be a felonious intent to constitute a felony; and of this the jury are the judges. If Colonel Penruddock had been indicted for a felony or stealing of the horses taken from Salisbury, he would have been most probably acquitted.

21. Ask the prosecutor, whether he came voluntarily to prosecute against us, nd if he did not, but was forced, then desire the jury to judge whether they hat are come hither from London purposely, have not an intention to take away ur lives.

22. If they indict us as traitors by any act of the long parliament, it will be or treason against the king, or against the commonwealth, and keepers of the iberty; we have done nothing against either of them, and let them prove it.

23. If they ground the indictment on any act or ordinance since the long arliament was dissolved, which was April 20th, 1653, deny it to be an act; for he two last parliaments made no acts at all concerning treason, and there can be o treason by an ordinance.* Therefore leave it upon the conscience of the jury whether there be any laws to guide them in their verdict, besides common law nd acts of parliament.

24. Tell the jury, that if the king had formerly with his council made a pro-lamation, order, or ordinance, declaring something to be treason, which neither he common law nor any act of parliament had so declared, that no jury hereupon lurst have found any man guilty.

25. Alledge the case of Chief Just. Tressilian sir Robert Belknappy, and other udges in 11. Richard 2, who gave their opinions, that other facts were treason han what had been declared by authority of parliament, and did it to please the hen present governor, were attainted of treason for their opinions and by the arliament following 11. Rich. were made examples for their treason. And in he 21 Rich. II. the judges giving the like opinion, had no other excuse to avoid he attainder of treason in parliament 1 Hen. IV., than that they durst say no therwise for fear of death; but it was hereupon enacted, that no justice or other erson whatever shall from thenceforth be admitted to say, that they durst not or fear of death speak the truth; so that no force nor fear can excuse any person, f he shall now declare any fact to be treason, which cannot be warranted by uthority of parliament. Therefore leave it upon the conscience of the jury, whether they do believe we are indicted for any breach of any common law, or ct of parliament; and if for neither, whether they can in conscience take our lood upon their heads.†

26.‡ If the judge pretend, that we alledge not matter of law sufficient for ssignment of council then urge, that the ordinance, whereupon the indictment s grounded, is not pursued; that at the time of the indictment there were not wo lawful accusers or witnesses to the grand jury, which ought to be by the

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* This is so; it must be by a statute duly passed.

†The Government by framing the Indictment on the Statute of Edward III. avoided the objections aised by pleas 22—25 inclusive. This case of Tressilian and his fellows is given in How. St. Trials, ol. i., p. 90. The story of his being recognized, though in disguise, whilst looking out of a window t Westminster, prior to his capture, reminds us of that of Jefferys, who certainly was not an nnocent victim of circumstances, whatever Tressilian may have been. Certainly the latter would ave agreed with the author of "Jacobite Principles vindicated," when he said "Would you have rials secured? It is the interest of all parties care should be taken about them, or all parties will uffer in their turn."—10 Somers Tracts, 526.

‡ No doubt there were plenty of witnesses to satisfy the Statute of Edward VI., which requires wo, see plea 29; the other matter mentioned in this plea was of no moment in the case of the rincipal prisoners at any rate.

law. Or a prisoner may alledge he is not rightly named in the indictment, or hath not his right title or addition, or the fact is not set down with sufficient certainty, and by some or all these we may get council assigned.

27. If the indictment be for levying war, alledge, that there is no such open deed set down as is sufficient in law, and in such case, desire council to argue it, and endeavour to make our bearing of arms only a riot or unlawful assembly, and not a levying of war; for every bearing of arms in a warlike manner is not by the law a levying of war, as was adjudged in the earl of Northumberland's case, 5 Hen. IV.*

28. If we could say we met together upon some private revenge against the sheriff, or some private man, and not for the destruction or reformation of any law of the land, or to oppose any lawful authority, then unless two witnesses shall swear that we did declare some other end, the case must be resolved in law, whether it be a levying war; yet this point must not be insisted upon until the grand point in law be overruled by the court, viz., that the indictment is sufficient in law, notwithstanding it is not grounded upon the common law or any act of parliament; for we ought to lose ground by inches.

29. If they proceed upon the indictment to give evidence against us, insisting upon it, that the matter of fact be proved by two sufficient lawful witnesses; then let their witnesses depose openly in court face to face, for the law exacts two lawful witnesses in case of treason by statute 1 Edw. VI., and 5 Edw. VI., cap. 11, and 1 & 2 Ph. & Mar., cap. 11. Let the witnesses be strictly examined, and put to swear punctually to the fact, &c., charged in the indictment as the open deed, declaring and levying of war; and that both witnesses swear to the same fact, and at the same time and place, else they are but single testimonies to two facts of the same nature.

30. Insist upon it to make them prove the act or ordinance is a true copy of the parliament roll, and examine them upon oath, whether they examined it by that roll; (for 'tis possible they may have forgot to do it,) alledging that we are not to be tried by every private or printed paper, and demand it may not be read or given in evidence, 'till it be proved.†

31. If they offer to prove by any intercepted letters, whereof they have copies, that we levied war, then deny those copies, and demand the originals, and if the originals could (which cannot) be produced, they can never prove them to be any of our hands, if we put them to it.

32. If the Commissioners that try us be serjeant Glynne or recorder Steele, or any other, who are not the ordinary judges at Westminster, tell the jury, that these are not the sworn judges of the law, but practitioners and pleaders, servants to the Lord Protector and are made judges only for this purpose, to take our lives contrary to law, because the sworn judges refused it. If baron Thorpe comes he is a sworn judge.‡

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* See Penruddock's trial infra, as also for the objections to plea 28.

† We may trust the Attorney-General and his coadjutors to have secured the prosecution against this plea and the next. As far as we know, no intercepted letters were produced.

‡ The Protector being (so the Judges decided) the supreme head of justice, had power to commission the two serjeants. It is and has been the practice to place in the commission others besides the Justices of Assize, for instance, Serjeants and Queen's counsell who preside in additional courts, or in the absence of the Judges.

33. If the judges say, that the Lord Protector is invested with the same power that the late governors, whether king or parliament, were invested with, tell the jury boldly, that the laws of England cannot be altered but by act of parliament, and therefore there was an act of parliament to change the government from the king' to the keepers of the liberties, anno 1649 ; but there is no act of parliament since to change the keepers of the liberties into a Lord Protector, so that there can be no treason to bear arms against the Lord Protector.*

34. Tell the jury, that it is now our case, and they know not how soon it may be their own, for many were zealous for the present government, as the jury now can be, who have already felt, and others like to feel, the effect of their new ordinances : how safe and honorable it is for them to stick to the law, rather than take our blood upon them ; and instance in John Lilburn's several juries ; and if not to acquit us yet to acquit themselves by finding a special verdict which leaves us to law, and lays the guilt of our blood upon the judges ; and especially how dangerous it is for the jury to prove, by shedding our blood, that the Lord Protector hath a legislative power, and that his ordinances are laws, when the late representatives of the whole people in parliament refused to acknowledge them.

35. If indicted for treason upon the 25 Edw. III. for levying war against the king, demand the statute to be read, beg the jury to observe when it is read, and then remember how all kingly government and authority was abolished by the act 1649 of the long parliament ; and the Protector himself in several speeches declared, he was not, nor would be king. If they bid us shew the speeches where he saith so, it is in the late speech, Jan. 22, 1654, p. 24, and in his declaration on April, 1653, where he saith, he desired the long parliament to prevent monarchy."†

The original of the above, together with the other papers known as the Thurloe Collection, are in the Bodleian Library at Oxford. The handwriting, if I may venture to surmise, that of some counsel learned in the law, and not John Penruddock.

But before they relied on the above, they probably petitioned their judges for counsel, as the following MS. in the handwriting of Mrs. Arundel Penruddock suggests to us :—[1]

"To the Right Hon^ble^. the Commissioners of Oyer and Terminer, and Goale Delivery, for the Countyes of Wilts, Dorset, Sommerset, and Devon.

And the County and City of Exeter.

The humble Petition of all those unfortunate Prisoners now in the goale of Exeter whose names are hereunto Annexed.

Humbly Sheweth

That your Petitioners upon the surrendinge of themselves at South Molton in

* The court having decided that the Protector was within the Statute Ed. III. could not permit this plea to be argued, for it went to the whole question of the legality of the Protector's authority.

† No extract of a reasonable length will convey this dogma, of the single person and the parliament, as contained in this famous speech. It is given in Carlyle's Cromwell.

[1] Compton MSS.

Devon, Had theyre Lives and Estates assured them by articles and conditions then and there signed and delivered.

May it therefore Please your Hon^rs. that since they have such articles and conditions granted them, that they may insist upon them, and that your petitioners being Poore Disconsolate Prisoners whom none dare Assist. Your Hon^rs. would be pleased since theyre Lives and fortunes wholly depend thereon, to Assigne them counsell Learned in the law to plead they^r Articles, that soe your Petioners being Ignorant of the Lawes may not cast away they^r lives by neglect of such meanes the Law in such cases does Afford them.

And your Petitioners
Shall ever pray, &c."

The following most interesting record follows, and is now printed in its original state for the first time, the interpolations or corrections of the "gentleman to whom it was entrusted," being placed in notes. It is written by Penruddock himself on two large sheets of white paper, and occupies five pages, the sixth is taken up with the notes. The writing is small, but usually clear and written with care.[1]

"S^r.* though I received yo^r. desires something to late it being but two days before notice given mee From the Shreife of the day of my Expiration (For I cannot call this an execution) it beinge For such a cause yeat in order to yo^r satisfaction I have borrowed soe much time From my more serious meditations as to give you this short account of my tryall wherein you must excuse† both the brevitie & imperfections it being but the issues of a Bad memory.

Upon Thursday Aprill 19° 1655 the Commission^rs of Oyer & Termyner beinge sate in the castle at Exon, summons before them myselfe, Mr. Hugh Grove, Mr. Richard Ryves, Mr. Robert Duke, Mr. George Duke, Mr. Thomas Fitz-James, Mr. ‡ Mr. Francis Jones, Mr. Edward Davis, Mr. Thomas Poulton & Mr. Francis Bennet. Being all called to the Barr, wee were commanded to hold up

[1] The trial as given in Howell's State Trials is apparently copied from the pamphlet entitled "The Triall of the Hon. Col. John Penruddock, of Compton, in Wiltshire, and his speech which he delivered the day before he was beheaded in the Castle of Exon, being the 16th day of May, 1655, to a gent. whom he desired to publish them after his death. Together with his prayer upon the scaffold, and the last letter he received from his vertuous Lady, with his answer to the same. Also the speech of that piously resolved gentleman, Hugh Grove, of Chissenbury, in the parish of Enford, and County of Wilts, Esquire, beheaded there the same day. Printed by order of the Gent. intrusted, 1655." Date written upon it by Mr. Thomason, July 2nd. This was afterwards used in the compilation of "England's Black Tribunal," which has passed through many additions and editions, sometimes calling it "the Trial and illegal proceedings," sometimes "Illegal proceedings" only. The pamphlet will be found in the King's Pamplets, Sm. Qto., vol. 652.

* "The account" does not disclose his name; nor have I as yet discovered it.

† Here an erasure of a word, clearly "brevitie."

‡ A name erased and quite indecipherable.

ou^r^ hands, & an Indictment of High Treason was Read ag^st^. us: & being Asked whether wee would plead Guiltie or Not Guiltie to the Indictment, in the behalfe of myselfe & the rest of the gentlemen therein charged I spake as Followeth:

My Lords, though my education hath bin such, as not to give mee those advantages w^ch^. the knowledg of the Lawes would have assisted mee w^th^., For the defendinge myselfe; yeat upon the hearinge this very Indictment, my Reason tells mee that it is illegal and therefore I doe demand counsell that may dispute the Illegalitie thereof.

*Judg.** *Glyn*—S^r^., you desire that w^ch^. cannot be granted you therefore give yo^r^. answer, whether you are guiltie or Not Guiltie of the Treason of w^ch^. you stand charged.

Penruddocke—S^r^., by yo^r^. Favour, it is that w^ch^. has bin granted to my inferio^rs^, videlicet: to Mr. Lilborn & To one Rolfe a shoemaker, I have as great a right to the lawes as any person that sets here as my Judge, I doe therefore challenge it as my Right. Judg Nicholas, whome I there see will tell you he himselfe was of counsell For this Rolfe & it is a hard case if a Free-born gentleman of England cannot have the same preveledge that his inferio^rs^. have had before him.†

Mr. Attorney—S^r^. there is a great difference between treason Acting & acted the later is yo^r^. case‡, therefore flatter not yo^r^selfe & doe not thinke yo^r^. beinge mute shall save yo^r^. estate in case of Treason; For if you plead not to the Indictment, sentence wil be pronounced ag^st^. you, as if you had bin found guiltie of the Fact you are charged.§

Penruddocke—S^r^. I observe yo^r^. distinction: But all the Logic you have, shall not make mee or any rationall ‖ man acknowledge, that this was either acting or acted, before it be proved. S^rs^. it is but a bare suspition, & I hope you will not condemne mee before I am convicted. I say the Indictment is illegall, & I doe demand counsell.

Mr. Attorney—S^r^., the Court must not be dallyed w^th^. all: I doe peramtorely demand of you, are you Guiltie or not Guiltie, yeat if you plead,—you may have Favour; otherwise wee shall proceed to sentence.

Penruddock—S^r^. put case I should plead, shall I then have counsell allowed mee.

Mr. Attorney—S^r^., the Court makes noe Bargaines refer yorself to us For that— hereupon my fellow-prisoners persuaded me to plead Not Guiltie w^ch^. beinge done, I demanded councell as being partly promised it, Mr. Attorney told mee I could have none.

Then I replied S^r^. *Durus est Hic sermo*, it is noe more than I expected From you; but rather than I will be taken off unheard, I will make my owne defence as well as I can.

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* This has always been given as Sergeant, and the difference of expression is important.

† These cases have been already mentioned. See note to the 12th of the prisoners' pleas.

‡ It is no mere conspiring to levy war, and therefore argueable; but an acted levying. You appeared in arms, declared King Charles, carried off the High Sheriff, the Protector's representative for Wilts.

§ Mr. Nutley's letter, p. 253, sup. tells us that escape was contemplated by Penruddock, and also that he intended to stand mute; therefore the Attorney-General pressed for a reply. As to the proceeding where a prisoner stands mute of malice on his arraignment, see Archbold's Crim. Pleading, 15th ed., p. 130, and R. *v.* Israel, 2, cc. 263.

‖ Word erased.

The Juro^rs. being then called, I challenged about 24 of the 35 I might have challenged. The rest of the gentlemen were sent From the Barr, I was left alone upon my Tryall, and the Juro^rs were so Packt, that had I known them the issue had been the same that it was. The Juro^rs being sworn, & the Indictment again read, Mr. Attorney demanded what Exception I could make to it.

Penruddock—S^r., I except ag^st every part thereof; for I take it to be illegall *in toto composito.*

Mr. Recorder *Steel*—S^r., it is not usuall, For any Court to admit of generall Exceptions, therefore wee expect that you should make it to some particular.*

Penruddocke†—S^r., if my generall Exception might have b^n. admitted, it would have told you, that there can be noe High Treason in this Nation, but it must be grounded either upon the Common Law or the Statute. But this is neither grounded upon the Common law, or the Statute, *ergo* noe treason: ‡

Judge Glyn—S^r., you are peramtory, you strike at the government; you will Fare noe whitt the better For this, speak as to any particular exception you have to the Indictment.

Penruddock—S^r. if I speak any thing w^ch. grates upon the present government I may confidently expect yo^r. pardon; my life is as deare to me, as the § government can be to any of you. The holy Profet David, when he was in danger of his life, Feigned himself madd & the spittle hung upon his beard; You may therefore easyly excuse my imperfections & since I am now Forced to give you my particular Exception, more plainly, to the Indictment I am bould to tell you that I observe that the words of the later part of it tell mee that I am guiltie of High Treason, by virtue of a statute in that case made & provided: if there be any such statute, pray let it be read; I know none such.‖

Mr. Attorney—Sir, you have not behaved yo^rself soe as to have such a Favour from the Court.

Penruddock—S^r., I require it not as a favour, but as my right.

Mr. Attorney—S^r., you cannot have it.

Penruddock—S^r., if I cannot have it, these gentlemen that are the Juro^rs

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* The Recorder appears to be right.

† Interpolation—"Sir, I desire a copy of my Indictment and time until tomorrow to make my defence.

Att. Gen.—Sir, you cannot have it, the Court expects you should do it now.

Penruddock—Then If I cannot have time—"

‡ Interpolation—"Against a Protector, who hath no power according to the law, neither is there any such thing in law as a Protector, for all treasons and such pleas are *propria causa regis.*"

§ The word "present" erased here.

‖ Interpolation—"My actions were for the king; and I well remember what Bracton saith, (5 Tract de Delatis cap.,) 'Rex non habet superiorum nisi Deum; satis habet ad pœnam, quod Deum expectat ultorem,' and in another place he saith, (Bract. Rem. II, 3, cap. 3, sec. 24) 'Rex habet potestatem et jurisdictionem super omnes qui in regno suo sunt: Ea quæ sunt jurisdictionis et pacis ad nullum pertinent, nisi ad regiam dignitatem; habet etiam coercionem, ut delinquetes puniat et coerceat.', Again he saith, 'Omnes sub rege, et ipso nullo nisi tantum Deo; non est inferior sibi subjectis; non parem habet in regno suo.' This shews us where the true power is: You shall find also, That whoever shall refuse to aid the king when war is levied against him, or against any that keep the king from his just rights, offends the law, and is thereby guilty of treason (Parl. Rol. num. 7). Again, All men that adhere to the king in personal service, are freed from treason by law: (Rex et consuetudo Parliament, 11 Hen. VII., cap. 1.) And yet you tell me of a statute, which makes my adhering to my king according to law, to be High Treason: Pray let it be read."

have not offended you, theyr verdict reaches to theyre soules as well as my life; pray let not them goe Blindfold, but let this statute be theyre guide.

Mr. Attorney—Sr. the Jury ought to rest satisfyed wth. what has bin allready said, and soe ought you too.

Penruddock—Sr., I thank you; you now tell me what I must trust to.*

Mr. Attorney then made a large speech in the Face of the Court, wherein he aggravated the offence wth. divers circumstances; as saying, I had bin Four years in France, & held a correspondeney wth. the king my master, of whom I had learned the Popish Religion: That I endeavoured to bring in a debauched, lewd young man, and to engage this Nation in another bloady Warr, and that if I had not bin timely prevented, I had destroyed them (meaninge the Jurors), and theyre whole Families.

I interrupted him, & said Mr. Attorney, you have been hearetofore of counsell for mee; you then made my case better than indeed it was; I see you have the faculty to make † it worse to.

Mr. Attorney—Sr., you interrupt mee, you sd. but now you were a gentleman.

Penruddock—Sr., I have bin thought worthy hearetofore to sit at ye bench, though I am now at the Barr.

Mr. Attorney then proceeded in his speech & then called the witnesses.

Penruddock—Sr. you have now put mee in a Beres Scynn, & now you will beate me wth a witness, but I see the Face of a gentleman heere in the Court, I meane Captaine Crooke, whose conscience can tell him; that I had Articles From him which ought to have kept mee from hence, Captaine Crooke heereupon stood up, and his guiltie conscience, I suppose, advised him to sett downe againe, after he had made this speech, that is to say, he opend. his Lipps & spake nothinge. The severall witnesses now come in, Mr. Dove the sherife of Wiltshire & others; my charetie forbids mee to tell you what many of them swore: I shall therefore omit ‡ and only tell you that one of our own party (& indeed I thinke an honest man) being Forced gave his evidence,§ I said, My lords, it is a hard case that when you finde you cannot otherwise cleave mee to pieces, that you must look after wedges made of my owne timber.‖ I urged divers cases to make the business but a Riot, as my Ld. of Northumberland's¶ pre-

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*It was a pity the Attorney-General permitted himself to have this war of words; which must have somewhat turned the jury against the prosecution. However Penruddock might have himself read the Statute of Ed. III. to the jury and argued upon it, at some time or other during his trial; but it would have come with a happier grace from the Attorney-General at this point. We must for ever bear in mind that we are reading only one side of the story. Penruddock never read the Statute, though he must have had access to several books which contained it.

† Interpolation—"men believe falsehoods to be truth too—"

‡ The word following "omit" had been itself omitted, on correction a hieroglyphic (probably an abbreviation of "that") is inserted between the lines.

§ Something is written above which looks to me like "thereupon"

‖ Interpolation—"The virtuous crier of Blandford being asked what were the words I used in the proclaiming king Charles at the market? he said, I declared for Charles the second and settling the true protestant religion: for the liberty of the subject, and privilege of parliaments.

Then I said to the Attorney-General and the whole Court, you said even now, that I had learned of the king my master, the popish religion, and endeavoured to bring him in; and that it was the true protestant and not the popish religion his majesty is of and intends to settle."

¶ In 1403, Henry Percy, son of the Earl of Northumberland rose against King Henry IV. His father the Earl collected a large body of troops and marched forth, as some said to join his son, as others to join the King and bring about a reconciliation. Whilst on his way he was stopped by the

tending what wee did was to take of taxes For the hono[r] of Parlym[t]. &c., that the power was not declared to be where et is,* I required the judges to be of counsel For me, & told them it was their dutie.† My Lord Lysle answred me, that I should have no wrong.‡ Penruddock, S[r]. if I had seene a crowne upon the head of any pson., I had known what had been treason: The law of England would have taken hold of mee, out of the respect it has to Monarchy; There was noe such land-mark before me, therefore I conceive I cannot be guiltie of what I am charged, & My lords and Mr. Attorney you here indict me for a treason committed at South Moulton in Devonshire, & yeat, you sweare witnesses ag[st]. me For such done in other counties, Sarum, & Blandford, & South Moulton are not in a perish.§ You puzle the Juro[rs] w[th]. these circumstances, pray goe to the kernell, and you, gentlemen of the jury, save yo[r]. labour of takinge those notes.

Sylence beinge then commanded in the Court,‖ he addressed himselfe to the jury, & to be short, after the space of halfe an hour long, gave them directions to bringe mee in guiltie, This being done, I craved the Favour From the Court, that I might speake to the Jury: w[ch]. beinge allowed, I said to them as followeth:

Gentlemen: You are called a Jury of life & deathe, & happy will it be For yo[r]. soules, if you prove to be a Jury of Life. You¶ are now the Judges be-

Earl of Westmoreland, and returned to his house at Warksworth. Henry the King conquered Henry the Percy, and his father afterwards petitioned for an examination of his own conduct. The matter was referred to the Judges; but the Lords protested, and the King sent the case to them. They decided he was guilty of trespass only, for which he should pay a fine and ransom at the will of the King. Rolls Part, vol. iii., p. 5249, and Hale's Pleas of the Crown, vol, i., p. 135., where it is noted that no reasons for the Judgment are given, and therefore it is of very little, if any, value. But the present was not a case of riot, supposing the Lord Protector lawfully held his position; for it was not a mere breach of the peace; and there is not the least evidence of its being for the purpose of taxation, even though unauthorized and unnecessary. If it was an offence at all it was treason against the Government and the majority of the nation; for it was an attempt to set up as king, him whom they had declined up to the present time ever since his father's death; and as a necessary consequence it involved the overthrow of the "one person" and his government whom they had appointed in his stead.

*This word, which is either "is" or "was," is inserted above "et."

†The Judges by the law of England are counsel for prisoners who cannot provide counsel for themselves, and this was no doubt the reason why formerly no counsel were allowed. The judges, have ably performed this onerous, and (to them especially) delicate duty. Sir Edward Coke said no counsel were permitted for defence because the evidence should be so manifest, it could not be contradicted. 3 Inst., 137. And Lord Nottingham, when Lord High Steward, declared, that this was the only good reason that could be given for the practice, viz: "that it ought to be so very evident that all the counsel in the world should not be able to answer it." See 7 How. St. Tr., 149. Now-a-days, in cases of life and death only, it is the practice for the Judge to assign counsel to defend the prisoners, where they cannot bear the expense. In other cases he still pursues the former practice of acting himself.

‡Interpolation—"But he meant right; but judge Rolle and Nicholas confessed themselves parties, therefore would say nothing. Then I told the Court—"

§The treason was overt in every county, and triable in either.

‖The copyist of the pamphlet says Mr. Attorney then addressed, omitting the commencent of the sentence. The "he" is no doubt the Attorney-General, but Penruddock does not say so.

¶Interpolation--"You have heard what hath been said to make my actions treason; and with what vigour many untruths have been urged to you. I have made appear to you, that there can be no treason but against the king; that the law knows no such person as a Protector. Mr. Attorney, pretends a statute for it, but refuseth the reading thereof either to me or you; vilifies me at pleasure and tells you that I am a papist, and would bring in the popish religion; and that if I had not been timely prevented I had destroyed you. I hope you are also satisfied of the contrary, from the mouth of one of the bitterest witnesses."

COL. JOHN PENRUDDOCK, BEHEADED 1655.

FROM A PORTRAIT IN THE POSSESSION OF CHARLES PENRUDDOCKE ESQR COMPTON PARK, WILTS.

tweene mee & these Judges, let not the majesty of theyre lookes, or the glory of theyre habitts, betray you to a sinne w^ch^. is of a deeper dye then their scarlet; I meane that sinne blood, w^ch^. calls to heaven for vengeance. Gentlemen, you doe not see a haire of my head but is numberd, neither can * you make any one of them, much less can you put breath into my Nostrils when it is taken out, A sparrow does not fall upon the ground w^thout the providence of God, much less shall man, to whome he hath given dominion, & Rule over all the creatures of the earth. Gentlemen, looke upon me,† I am the Image of my creato^r^, and that stamp of his w^ch^. is on my vizwage, is not to be defaced, w^thout an account given wherefore it was. I have here challenged, as I am a gentleman, & a Free-born man of England the Right w^ch^. the law allowes mee. I demand that the statute may be read, w^ch^. says I am guiltie of treason, it is denyed both to you and mee."‡ The law w^ch^. I would have bin tryed by § was drawne by the wise consultation of our Princes, & by the ready Penns of our Progenito^rs^.

The law w^ch^. I am now tried by,‖ but what is cast out w^th^. the poynt of a sword,¶ being semited with the moysture of an eloquent tongue, & the sheets on w^ch^. they are recorded, if you looke not well to it, may chance to serve For some of yo^r^. shrouds. If the Feare of displeasing others, shall betray you to finde mee guiltie of any thinge, you cannot at the most but make a Riot of this, & pray, by the way, take notice, that y^e^ last Parlyam^t^. would not allow the legislative power to be out of them, seventeen of twenty in this very countie were of that opinion, & deserted the house, they were yo^r^. representatives, if you should Find mee guiltie you bring them in danger, and in them yo^r^selves. Have a care of being drawne into a snare. Gentlemen, yo^r^. bloud may runn in the same channels w^th^. myne, if what I have said does not satisfy you, soe as to acquitt me, if you bringe in a specyall verdict, you doe in some measure acquitt yo^r^selves, & throw the bloud that will ** be spilt, upon the Judges. Consider of it, & the Lord direct you for the best.††

The jury, after a quarter of an hour's retirement, brought mee in Guiltie: The Lord Forgive Them for they knew not what they did. Upon Monday, y^e^ 23^d^ of Aprill, wee were againe called to the Barr beinge then in number twenty-six. Judge Glyn asked of mee, First, what I could say for myselfe, that I should not have sentence according to the law?

Penruddock—My Lords & Gentlemen, you aske what I can say For myselfe that I should not have Sentence pass upon me. The Jury has allready found me Guiltie, If I should goe about to make a defence now, it would signify noe more than as if my Friends should Petition For my pardon after I am executed. I could have offerd you Articles heere, but I thought that inconsistent w^th^. this

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* "Can" is written above "you" and clearly goes before it.

† He adds this on correction, the incident flashing with full light upon him.—His fair ringlets streaming over his shoulders, a ripe sheaf of corn for Death.

‡ Interpolation—"I demanded a copy of my Indictment and Councell, but it is denied me."

§ Interpolation—"Is the known law of the land, which—"

‖ Interpolation—"Is no law—" After the word "by" he has put a mark of vacuum, which he never filled up.

¶ The sentence about the eloquent tongue is added on correction. I cannot decipher the word "semited," the pamphlet copyist gives it as "varnished."

** Poor fellow! he has scratched out "may" and written "will" over it.

†† A capital piece of advocacy.

Court. When I look upon my offence as to my Lord Protector,* I conclude myselfe a dead man, but when I reflect upon the Favour he has shewd to others of my condition, & the hopes I have of your intercession, methinks I see† my spiritt renewd againe. My lords, death is a debt that is due From mee to nature, the‡ Lord Protector has now the keeping the Bond, & has put it in suit by his Attorney if his Lordship§ please to Forbear the serving mee w^th^. an execution, & let mee keep it a little longer, I will pay him the interest of thanks for it as long as I live, & engage my posteritie, & a numerous allyance to be bound For mee. So the Lord direct you all For the best. If I have‖ Favo^r^., I shall thank you; if not I shall forgive you.

This beinge done the Judge Glynn¶ gave sentence ag^st^. us videlicet to be drawne hund and Quarterd, a pretty exchange For unworthy Crooke's Articles For live liberty & estate w^ch^. I can swear & will dye upon.

We can read this in a MS. of Colonel Penruddock's son, now at Compton. It is indorsed: "Glyne's sentence of death upon my father." Within we find:—

"Principall Heads of Serjeant Glinne's sentence of death uppon my cousen Penruddock and the Rest of the Gent. whom Hee condemned at Exeter, 1655.

I must confesse I never come uppon this peece of a service but w^th^. A great deole of sadnesse but never w^th^. soe much sadnesse as at this tyme. Heere Arises Sadnesse from the persons, many of very good Quality, many of ingenuous education, and some of better parts then myselfe.

Sadnesse from the number. I never saw soe many at one Barre of Justice before.

Sadnesse from the offence, it is the Highest the Law takes notice off.

Sadnesse from the seutence, it is the worst the law pronounces.

But above all, sadnesse, that in not in one of those faces I see the Least Remorse for this great offence. And what if you had gone on in your designe? You must have waded through Rivers of Blood. You must have Ript uppe the Bowells that brought you forth, you must have brought misery and calamity uppon the Countrey that gave you Breath. Nor have you only broken the Lawes of the Land, but the lawes of the God alsoe, for all powers are ordaind of God. And hee that Resists, Resists the ordnance of God.

Nor have you resisted his ordnances onely, but his providence alsoe, signified in soe many victoryes, and soe many successes to Justifie the Government. You say this man shall not Reign over you, God sayes Hee shall, &c."

Returning to Colonel Penruddock's MSS.:—

My tryal held at least 5** howers, this is as much as I can at p'sent remember of it excuse the erro^rs^ *by the truth thereof.*

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* The words "My Lord" are expunged by the copyist.

† "Feel" in the pamphlet.

‡ "Lord" omitted by pamphlet.

§ "Lordship" omitted in pamphlet.

‖ In the pamphlet "found" is inserted here.

¶ Interpolation—"after a most bitter and nonsensical speech—"

** So indistinct as to be guess work.

*Be merciful unto me O Lord, be merciful unto me under the shaddow of thy winges will I hide myselfe till this tyranny be overpassed.** One of the Jury being asked by a Gent: why he Foun mee guilty answered that he was resolved to hang mee before he saw me.†

Glory to God on high on earth peace good will toward men, & have mercy on mee O Lord.

JOHN PENRUDDOCK."

On the second page of this sheet there is the following:—

"Witnesses Bennett and Stroud [Strong], who in open Court confessed to be guilty of all they p'ved agt. mee yett Mr. Attorney gave ye Jury direcons. to fynde them not guilty.

Mr. Attorney well Knew yt. if ye statute had bine read, I had bine iustified & himselfe Guilty.

If this be the tithe of the subject, the whole nation may see themselve in greater slaverie than ever ye pore Isrealites were to ye Egiptions.

This is as iust a triall according to law, as if [it] had bin for ye p'soners to have tried (of ther owne ffor if this be made treason its an Judibidum vacum, like ye winde in the Gospell, wch. bloweth wher it listeth, and that shal be treason in mee to day, wch. to morrow shal be none in another, as it shall please Mr. Attorney,

& neyther myselfe nor Jury might have yt. statute read by wh. ye Court prtended my Accons wer made treason, but I must rest (and soe they) satisfied yt. Mr. Attorney said it was Treason.

Observe alsoe

The Judges when Demand their Judgmts. in poynt of law, said they were prties, yet sat uppon ye bench in their robes, soe yt. Mr. Attorney ye Proteetors Servant (whose whole businesse was to carrie on his Masters Interest right or wrong) was both Judge & Jury, for what he said (so iust a Jury I had) they did.

If I had bine guilty of Treason I had bine unjustly tried for I ought to be tried by ye sworne Judges of ye Law, & not by ye Immediate Servants of the ptector. as is Lisle Glyn & Steele for Judges

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* The words given in italics are omitted from the pamphlet.

† Interpolation—"The Judges are sworn to do justice according to the law of the land, and therefore have miserably perjured themselves in condemning me contrary to law: And (not so contented) must cause the jury (so wise they were) through their false and unjust directions, to destroy their own rights and properties, and set up a new Arbitrary and Tyrannical government.

The judges would not give me their advise in point of law (as was their duty) because they said they were parties; yet could sit still on the bench in their robes to countenance (and approve of) my sentence.

No man can be a Judge where he is a party in the same cause therefore my triall was contrary to law. Hobart folio 120, Doct Bonam's case, 8 part of Cook's reports.

The Judges being parties, ought not to sit upon the bench, (but stand by) therefore my trial was illegall: the rest being no judges but the Protector's immediate servants, so could not be my Judges in case of High Treason; for none but the sworn Judges of the Land are capable of it by law.

One thing of Colonel Dove the reverend sheriff of Wilts, who that the jury might be sufficiently incensed, complaining of the many incivilities (he pretended) were offered him by our party, being upon his oath, said that one of our men did run him through the side with a carabine. Surely it was a very small one, for the wound is not discernable.

A good deal of praise every man in his place took for the carrying on their master's work."

accord) y^e^ Judges & ye rest uppon ye bench for the same fact.

An honest man and good soldier, who rather then should appeare like myselfe a modest Christian & a p^r^. server of my king and country wold prejudiciously [?] perjure himselfe though he ruine his owne soule to distroy my body.

Rolls & Nicholas declared themselves (as before) pties., therefore could not be Judges.

Note alsoe y^e^ gallantrie of Mr. Dove, high shereife of Wiltshire, who after he had but a little forsworne himselfe in open Court (uppon his oath) to agravate the Incivilites, of our p^r^ty towards him, said y^t^. one of our men did runn him through the side w^th^. a carbine.

Such is the account Colonel Penruddock gives of his trial.

It was probably written the 3rd or 4th of May, 1655, (which would be about "two days before the Sheriff's notice of execution,") the former being the day on which the Protector signed the death warrant.

Of Grove's trial the only note I have found is the following, *Perfect Proceedings,* May 3rd, 1655.[1]

"The sheriffe of Wilts was commanded down into Devon, having a Lycense given to go out of his County, to give evidence against such of the rebells as he did knowe; amongst which was one Mr. Hugh Grove, a tenant of the Sheriffe, whom he was required to give evidence against, the sheriffe refused to be sworn, desiring to be excused from giving evidence against his tenant for life. The Court would not excuse the sheriffe, but required him to take his oath, which he did, seeing he could not be excused. The sheriffe declared in open Court, that in whatever the said Grove did hold for his life, in case he were taken off for this his fact, the sheriffe then promised, he would make it good that Grove's wife shall have her life freely; so long as she lives, in the place of her said husband, and after the promised engagement, seeing the Court would not excuse the said sheriffe from giving his testimony, he did take his oath and declared the truth, &c."

The evidence against all the principal prisoners, of levying war against the Protector and his Government, would be simple and easily proved; that they appeared at Salisbury armed, and proclaimed King Charles, and arrested the course of Justice, in taking the Judges' Commissions from them, thereby closing the assize; seizing and carrying off the sheriff; breaking open the gaol; then at Blandford proclaiming the king, and endeavouring to compel the

[1] K.P., Sm. Qto. Vol. 642.

town crier to do so; and frequently trying to induce men to join them; finally the fight at South Molton. Supposing the Judges to be correct in their law, how could there be any other verdict?

The following list of Exeter prisoners, and what happened to them is given in the Thurloe Papers, vol. iii , p. 394.

"Devon, ff. The names of the prisoners indicted, attainted, and condemned for high treason, in levying war against the lord protector and government, &c., at the general gaole delivery holden at the castle of Exeter, the 18th of April, 1655.

On the first indictment.

John Penruddock, of Compton Chamberlaine in the County of Wilts, Esq.; challenged twenty-eight of the persons impannelled for the petty jury. Found guilty by verdict of the petty jury.

Hugh Grove of Chissenbury in the County of Wilts, gentleman. He also challenged the array. Found guilty by verdict of the petty jury.

Robert Duke of Stuckton, in the County of Southampton, gent. Found guilty by verdict of the petty jury.

Richard Rives, of Rimpton, in the County of Southampton, gent. Found guilty

Francis Jones, late of Beddington in the County of Surrey, gent. Found guilty by verdict of the petty jury.

Thomas Fitzjames, late of Hanley in the County of Dorset, gent. Found guilty by verdict of the petty jury.

George Duke, late of Stuckton, in Hampshire, gent. Found guilty by verdict of the petty jury.

Edward Davy, late of London, gent. Found guilty by verdict of the petty jury.

Thomas Poulton, late of Pewsey in Wiltshire, innholder. Found guilty by verdict of the petty jury.

Francis Bennet, late of Killington in Somersetshire, gent. Acquitted by the petty jury.

On the second indictment.

Edward Willis, late of New Sarum, in the County of Wilts, innholder. Found guilty by verdict of the petty jury.

Nicholas Mussel, late of Steeple Langford, in the said County, yeoman. Found guilty by verdict of the petty jury.

William Jenkins, of Fordingbridge, in Hampshire, gent. Confessed the fact on his arraignment.

Thomas Hilliard, of Upton, in the County of Southampton, yeoman. Found guilty by verdict of the petty jury.

Robert Harris, late of Blanford in the County of Dorset, cordwainer. Found guilty by verdict of the petty jury.

John Biby, of Compton Chamberlaine, in the County of Wilts, gent. Found guilty by verdict of the petty jury.

John Cooke, of Potterne, in Wilts. It appeared upon the evidence, that he was one of those that took the judges. Found guilty by verdict of the petty jury.

John Haynes, trumpeter. Found guilty by verdict of the petty jury.

William Strode, of Wincanton, in the county of Somerset, gent. Acquitted by verdict of the petty jury.

On the third indictment.

Henry Collyer, of Staple Langford, in the County of Wilts, gent. Confessed the fact upon his arraignment.

William Wake, late of Blandford, in Dorsetshire, gent. Confessed the fact upon his arraignment.

Christopher Havilend, late of Langton, in the County of Dorset, labourer. Confessed the fact upon his arraignment.

Hans Stiver, late of New Sarum, in the County of Wilts, gent. Found guilty by verdict of the petty jury.

James Horsington, *alias* Huish, late of New Sarum, gent. Found guilty by verdict of the petty jury.

John Giles, *alias* Hobbs, late of New Sarum, yeoman. Found guilty by verdict of the petty jury.

Abraham Wilson, late of the same, cutler. Found guilty by verdict of the petty jury.

Joseph Collier, late of Steeple Langford, gent. Confessed the fact upon his arraignment.

Richard Browne. Found guilty by verdict of the petty jury.

Nicholas Brodgate, late of Blandford Forum, yeoman. Acquitted by the petty jury.

Marcellus Rivers, late of Bensted, in the County of Southampton, gent. The grand jury did not find the bill against him.

26 prisoners condemned.

3 acquitted.

1 ignoramus by the grand jury, viz., Rivers.

On comparing this list with that furnished to the Government by Disbrowe,[1] we find that not a third of the 109 persons then in custody were brought to trial at this assize; supposing the above to be perfect, as it apparently is. In the second indictment William Jenkins, of Fordingbridge, in Hampshire, gent., is a fresh name. In the third indictment Nicholas Brodgate, yeoman, may be the same person as "Richard" the husbandman, and Marcellus Rivers, of Benstead, as "Joseph" of that ilk in the first catalogue. Of the last individual we shall have somewhat to say bye and bye.

Somewhat of what happened at Exeter we glean from the Attorney-General's letter to Thurloe written on the Saturday (April 21st) :—

"Sir,

I have not of late received any directions from you concerninge oure prisoners, which hath beene much expected by my selfe and the judges, in answere to what I wrote you from Salisburie and Dorchester. I have forborne

[1] See p. 139, sup.

HUGH GROVE, BEHEADED 1655.

FROM THE PORTRAIT IN THE POSSESSION OF MISS CHAFYN GROVE, ZEALS HOUSE

writinge unto you, because Generall Desbrowe said he would doe it,* and give an account of passages here, and hath undertaken to doe the like againe, which makes me be the shorter. The juries we finde very well affected,and willinge to dispatche [!] the cavaliers; and the difference amongst them is to agree most speedilie. We are upon our last bill against the prisoners heare. A list of them, and of those already tried and convicted, you will hearewith receive. Our work, I believe, will not be great att Chard; but what care is taken to have good jurymen there, I knowe not. My Lord Rolles went hence yesterdaie, and will not be att Chard; and Mr. Serjeant Glynne saies, that there is a necessity of his beinge in London before the terme, and soe thinkes he shall be but little at Chard. Justice Wyndham is expected to meete us there, and I believe baron Nicholas will staye with us. Mr. Recorder is, as I wrote you in my last, to give the charge, and manage the trials there: From thence I suppose we shall all come to London togeather. Your steward expected to have heard from you, complaineinge he shall want monies,and desires my credite to supply him: rather than the service or your honoure shall suffer, I shall doe it. I shall not farther trouble you, than to render me

Your very humble servant,

Exon, April 21, 1655. EDW: PRIDEAUX.

The grand jury just nowe brought in theire bill against tenn. Rivers was ignoramus; his owne partie, that accused him, denied it upon theire oathe to the grand jury. Henry and Joseph Collyer, William Wake, and Haviland, that claimed articles, after some debate, confessed the indictment, and submitted to his highnes mercy."

We come now to the Wake story, which I must reserve for another paper.

(To be Continued.)

* I have not found his letter, if there were any.

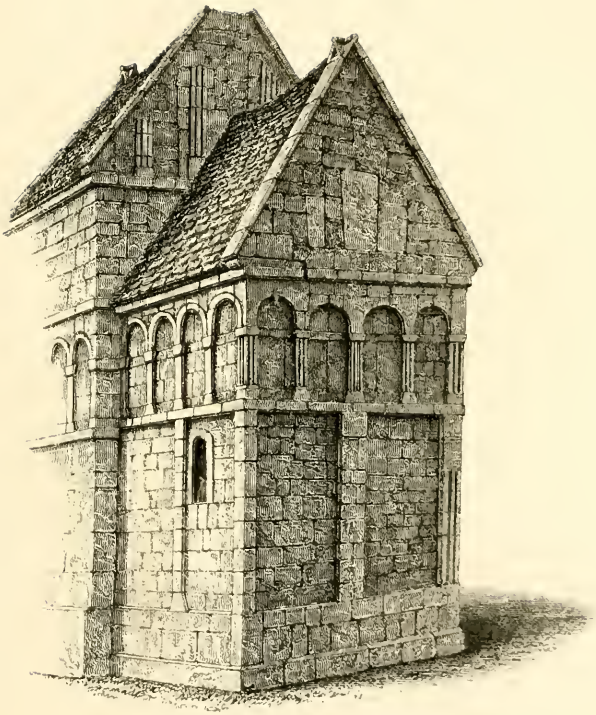
The Saxon Church of Saint Laurence, Bradford-on-Avon.

MUCH INTEREST has been of late excited with regard to this ancient Church, which is most probably of the date of the latter part of the *tenth century*, and is, as far as is known, the *only complete one*, of its age and character, still remaining in England.

During the annual meeting, held a few weeks ago, this Church was visited by the Society, and much gratification was expressed at the progress that had been made towards its preservation. The earth, which had accumulated in the course of years to a height in some parts of *six feet* above the ground-line of the building, had been removed, and the original proportions of the Church, in themselves a remarkable feature, were distinctly seen.

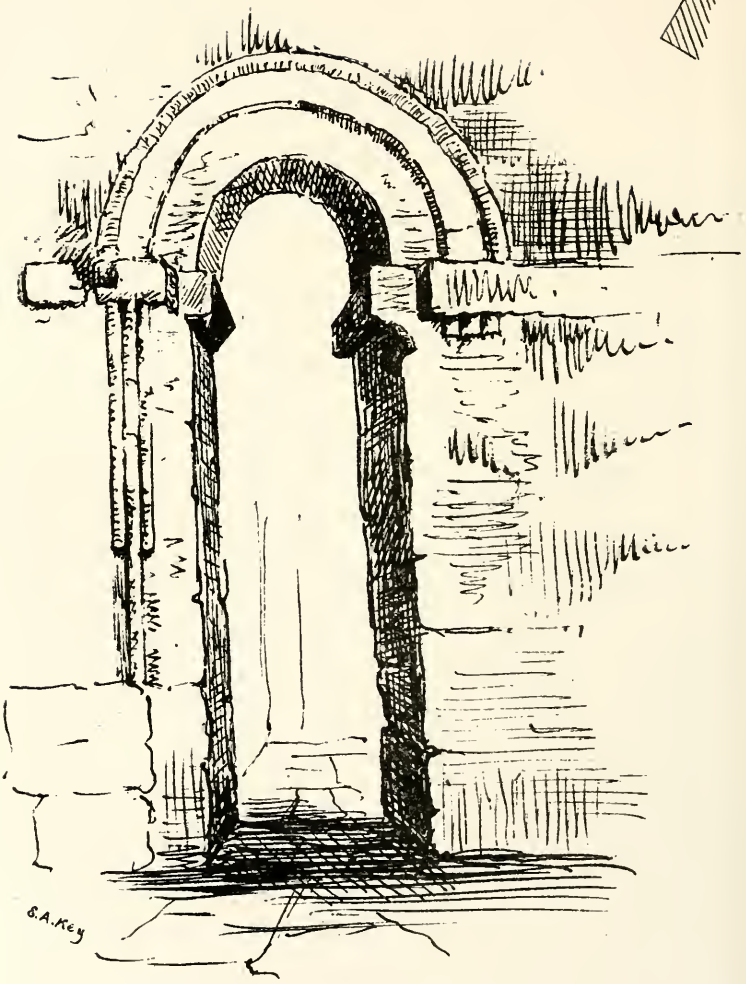
In Vol. v. of the proceedings of this Society will be found a short account of this ancient Church. It was illustrated by drawings and elevations made for the purpose, in the year 1848, by the Rev. W. C. Lukis, then one of our Secretaries. The intervening period of fourteen years has disclosed much that throws light on this precious relic of Saxon times. Within the last few months, moreover, the CHANCEL, long ago separated from the NAVE, and used as a gardener's cottage, together with the ground immediately surrounding the whole building, has been purchased, and a Committee of Trustees appointed, amongst whom are Earl Nelson, and Sir John Awdry, (two former Presidents of the Wilts Archæological Society,) and Sir Charles Hobhouse, Bart., now Lord of the Manor of Bradford, for the purpose of raising funds for obtaining the *whole* Church, and adopting measures for its preservation and restoration.

The Council of this Society entered warmly into the plan when brought before them by the other two Trustees, and original promoters of the effort, the Rev. E. L. Barnwell, and the Rev.



SAXON CHURCH OF ST LAURENCE BRADFORD ON AVON

VIEW FROM THE SOUTH EAST



DOORWAY BETWEEN PORCH AND NAVE
SAXON CHURCH, BRADFORD ON AVON, 1872.

Prebendary W. H. Jones; and at their meeting in February, last, gave £25 towards it.

Two illustrations accompany this statement, one giving a view of the building from the south east, and the other the doorway leading from the PORCH into the NAVE. The archway, which is not recessed, is *two feet ten inches* wide and *eight feet six inches* high to the centre of the arch. It springs from an impost, which is itself simply a plain string-course, stopping a rudely-moulded pilaster, formed by a series of segmental roundels. Above the impost this is continued over the arch as a hood-moulding. One of the minor peculiarities of this work is, that the opening of the door-way is wider at the floor than at the springing, and this tends to strengthen our opinion as to its antiquity.

A full account of this Saxon Church—which William of Malmesbury speaks of as standing in his days (about A.D. 1120), and which he adds had been of old dedicated to St. Laurence—has been printed for the Trustees. It contains several particulars that have come to light since it was noticed in this Magazine, and is illustrated with a steel engraving, shewing the view of the Church from the south-east, and seven or eight other drawings, and elevations. A copy will be forwarded to all subscribers of £1 1*s*., and upwards, and, as far as the impression, which is a limited one, will allow, to others who are able only to give smaller amounts.

There has already been expended in the purchase and conveyance of the CHANCEL and adjoining plot of ground, and in necessary repairs, boundary walls, &c., about £125.

The sum now required for purchasing another building, which may be exchanged for the NAVE and PORCH, so as to secure the *entire* Church, is about £350 more than has been as yet promised or paid. The Society, feeling an especial interest in this work, commends it heartily to the liberality of its members.

Communications may be addressed either to the Rev. E. L. Barnwell, Melksham,—the Rev. Prebendary W. H. Jones, Bradford-on-Avon,—or to the Secretaries of the Wilts Archæological Society.

September, 1872.

On a Roman building at Holbury, near Dean.

By the Rev. G. S. Master.

IN a paper read before the Wilts Archæological and Natural History Society, at their Congress at Wilton, in September, 1870, upon a remarkable deposit of Roman pottery in Holbury Copse, near West Dean, it was intimated that further investigations in a meadow at no great distance were likely to result in the discovery of a villa or other building of some importance. The external walls of an enclosure, found by careful measurement to contain an area of 59ft. by 48ft. 10in., had already been laid bare, and it was naturally expected that the excavation of the internal area would disclose some objects of interest, beyond those of which mention had already been made. This conjecture has however turned out to be erroneous, the laborious and tedious process of laying bare the entire space down to the level of the undisturbed clay, which here overlies the chalk, having issued in nothing more than the formation of a ground plan, and the obtaining of certain data respecting the building. These I proceed now to place upon record.

By reference to the plan it will be seen that a large slab of Portland or Purbeck stone lies across the southern wall of the enclosure. It was upon this, curiously enough, that the workmen's crowbar—used for probing the ground in search of foundations—accidentally lighted. The turf was removed, and the stone uncovered. It lay at the depth of about a foot from the surface; its dimensions were 3ft. 9in. by 2ft. 6in.; its thickness from 3 to 4in. It was found to be imbedded in a massive wall of flints set in excellent mortar, the foundations reaching to a further depth of 2ft. 6in. below the stone, which is now supposed to have marked the entrance to the building. From this point the walls were traced and followed round the angles of the enclosure, until the whole were visible. The North and South walls were found to be of the

ROMAN DRINKING CUPS AND OTHER OBJECTS.

unusual thickness of 3ft. 9in., those on the East and West being 2ft. 6in. wide. They were wholly composed of flint—a coign stone (brought from Tisbury), 1ft. 4in. square, built into the N.E. angle and a similar stone, 1ft. 7in. square, built into the N. wall, and flush with its inner face, being the only exceptions.

In accordance with the plan proposed by me to Sir Francis H. Goldsmid, Bart., M.P., the owner of the soil—for the avoiding of needless injury to the meadow—I proceeded to examine the internal area within the walls, piece by piece, stripping off the turf and excavating the ground of a square of perhaps 15ft., and then having carefully noted whatever lay beneath, replacing the earth and turf, before proceeding further. Thus, by degrees, and after some three weeks' digging—four labourers being employed—the entire space was subjected to examination. The work was very laborious. The upper soil to the depth of nearly a foot having been removed, there lay below it a hard mass of rubble and rubbish, the *debris* of the fallen building, faced flints (of which many cart-loads were thrown out) and fragments of roofing stones forming the bulk of the material. Underneath there was the natural clay floor, here and there supplemented with a coating of chalk, but unfurnished with any pavement of any kind, at a depth of some two feet from the surface.

The whole area was singularly unproductive, insignificant fragments of pottery, rusty nails, and coins of the third brass, illegible from the effects of fire, being all that I obtained from it. There was a remarkable absence of tiles; some dozen squares about an inch each way, cut from larger tiles, were amongst the rubbish in the N.W. corner, and about as many broken pieces of scored tile, picked up in other parts, comprised the remainder of those we found.

In the N.E. and N.W. angles of the enclosure there were small chambers, 12ft. by 9, the party-walls being of the same thickness and material as the E. and W. walls of the main building. There was a massive coign of Tisbury stone, 2ft. 6in. by 1ft. 6in., in the S.W. corner of the Eastern chamber. No other enclosed spaces seem to have existed. Two massive piers on either side, five feet square, standing 8ft. apart, and a like distance from the walls, formed of strong flint-work and concrete, were the foundations, I suppose,

of the pillars (perhaps of timber) which supported lean-to roofs, sloping from the outer walls.

Indications of fire were very frequent, a succession of shallow bowl-shaped depressions, marked "ashes" in the plan, and containing charcoal and other ashes, extending up the centre of the area from the South, and others being found in the positions assigned to them. From one, on the Eastern side, a shallow trench, also containing ashes, stretched towards the South. There was an artificial hearth, 3ft. by 2, against the centre of the North wall, formed of hard cement laid upon a footing of clay of a deep red colour, quite different from the natural clay of the spot, and 18in. in depth. Near the West wall, and within the space between the two piers on that side, was another smaller fire-place, the hearth formed of a pitching of flints, and having a back of the same material.

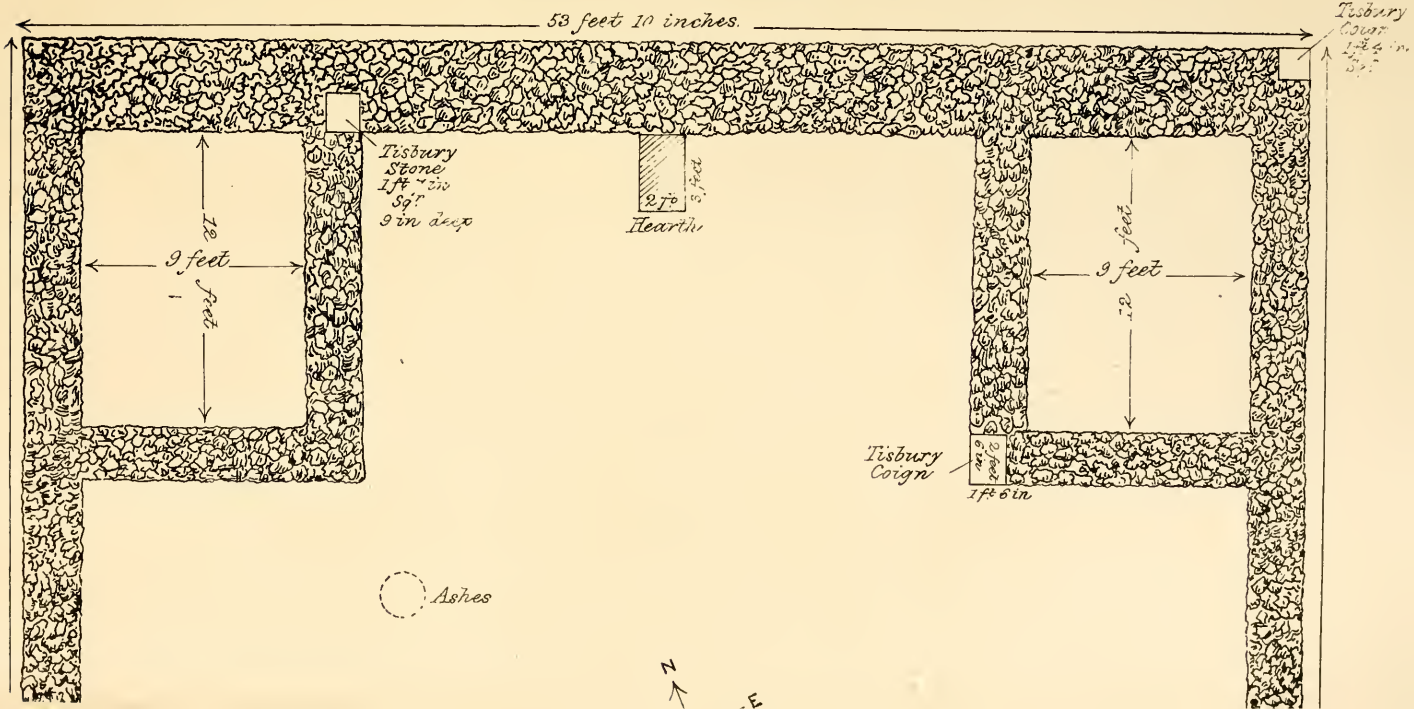
Two small blocks of Tisbury stone, 15in. by 9 and 10, resting on the clay floor, and fixed in their places by chalk rammed round them, one just within the South wall, near its centre, and the other about the same distance from the East wall, must have had some purpose, as yet un-ascertained.

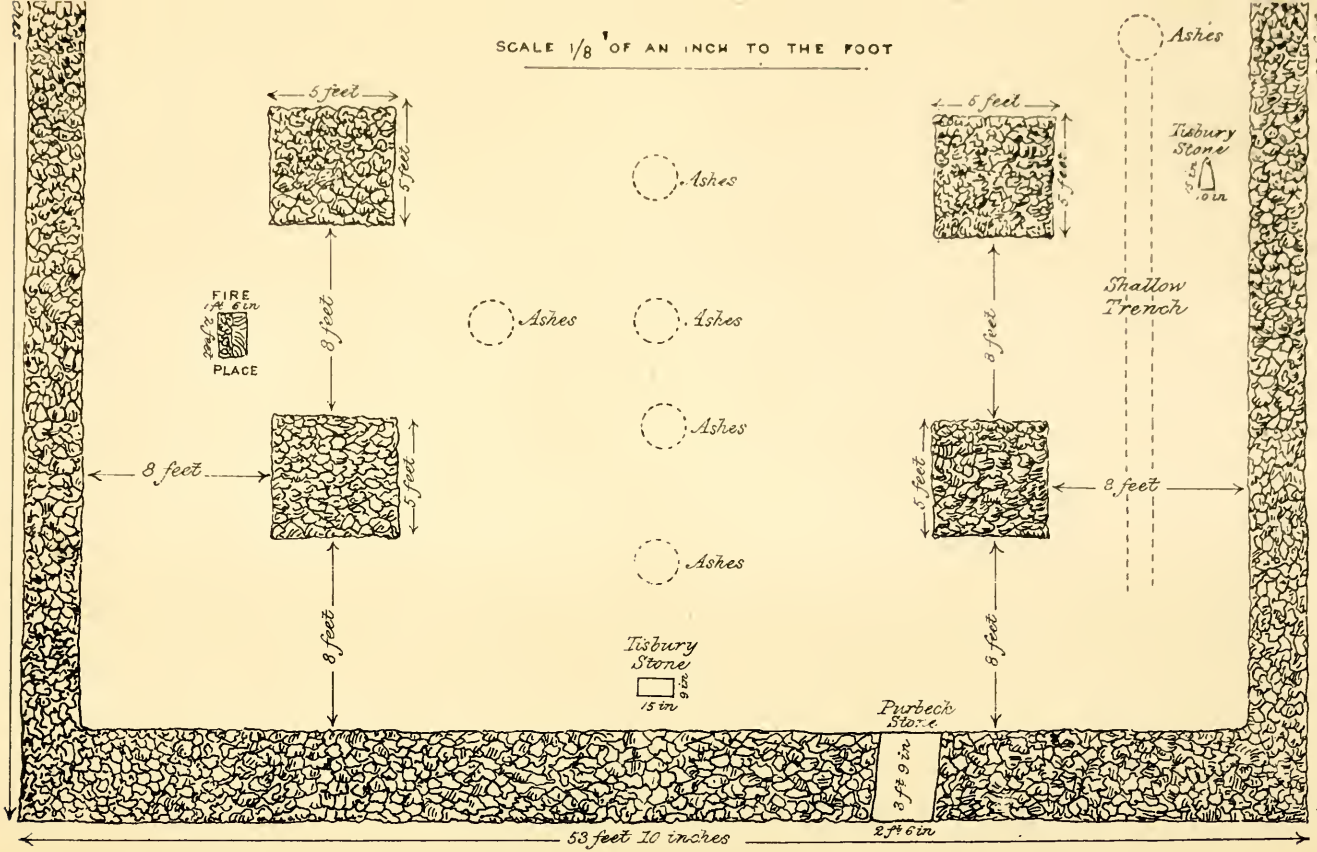
I confess to some disappointment at the paucity of facts I have obtained, nor can I at present offer any elucidation of those before me. I have at all events rescued from oblivion a Roman building hitherto unknown, and one differing (as I believe) from any previously discovered. Whether it was a receptacle for cattle, or a store-house for articles of merchandize, or for provisions—I must leave for others to determine. It was a durable structure at all events, made strong, perhaps to resist marauders; and its foundations lie now uninjured, with trifling exceptions, beneath the turf which has concealed them for fifteen hundred years. I may add that a single coin, of the second brass, with the sacred monogram upon it, proves the post-Christian occupation of the building.

An additional item of information subsequently obtained (Oct., 1870), must be placed on record. The pointed crowbar so usefully employed already having been again in requisition in the same field, about 60 yards S.W. from the site of the building, after striking upon something hard, suddenly left the hand of the workman, and

PLAN OF FOUNDATIONS OF ROMAN BUILDING AT HOLBURY, NEAR WEST DEAN,

EXCAVATED AUGUST & SEPTEMBER, 1870.




SCALE 1/8 OF AN INCH TO THE FOOT
5 feet
5 feet
8 feet
FIRE PLACE
2 feet 6 in
Ashes
Ashes
Ashes
Ashes
Ashes
8 feet
8 feet
8 feet
5 feet
6 feet
6 feet
5 feet
Ashes
Tisbury Stone
5 in
10 in
Shallow Trench
8 feet
5 feet
8 feet
Tisbury Stone
9 in
15 in
Purbeck Stone
3 ft 9 in
2 ft 6 in
53 feet 10 inches
F. Hightman & Comp.y Salisbury.

sank by its own weight into something soft underneath. Investigation here brought to light a cist or coffer, formed of hard Roman cement, 4ft. 3in. long by 3ft. 3 in. broad, and about 2ft. in depth, buried in the natural clay at a depth of about 2ft. from the surface, and filled with fine white lime, as pungent to the taste as though made yesterday. Nearly adjoining it was a second receptacle of the same dimensions, precisely similar in all respects to the first. Both lay undisturbed, and, as it were, hermetically sealed in their clay beds—no particle of the lime having escaped beyond the cases which contained it. We extracted all the lime from the first case, and hoped to be able to raise it, entire, for preservation in my parochial museum, but rain unfortunately coming on, it succumbed to the influence of the atmosphere, and became a mass of ruin. The second cist was actually raised, with all its contents, weighing nearly a ton, and placed in a cart, but the elements were again unpropitious, and I have not been able to do more than preserve portions of the casing, and a sample of its contents, for future reference and examination. I am unable to hazard a conjecture as to the purpose for which these deposits of lime were made and preserved. I do not think that the cases were made previously, and filled, before they were buried; but that more probably a basin of the required size was excavated in the clay, lined with a hard coating of cement, and then the lime was "run" into it, as is now done for modern plastering, a lid of harder material supplied, and the whole buried for future use. The perfect condition of the deposits precludes the supposition that they were mere surplus material, left accidentally from an adjacent building, but points rather to the notion that they were reservoirs or stores of lime, either abandoned hastily, or purposely reserved for exportation or employment on the spot.

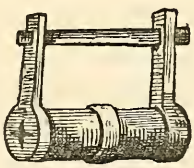
The Heliotype Illustration should properly have accompanied a previous paper, for which see p. 33 of this volume, where the vessels are described in detail. They were all found in one spot, upon an elevated ridge in Holbury Copse, but the stag's horn and objects of bronze and iron, with a single exception, at or near the site of the Roman building now described.

On the "Fetter-Lock" as a cognizance of the Longs of Wraxall.

By the Rev. Prebendary W. H. Jones, M.A., F.S.A.,

Vicar of Bradford-on-Avon.

EVERY one who is at all acquainted with the archæology of Wiltshire is aware of the badge, or cognizance, of the "fetter-lock"—a kind of padlock used for fastening together the chains of prisoners—borne by the family of Long of Wraxall and Draycote. They are also familiar with the account of such badge which they find in Aubrey, viz. that "Draycote was held by petit serjeantie, namely, by being Marshal at the King's coronation; which is the reason the Cernes gave the Marshal's Lock for their cognizance." (Jackson's *Aubrey*, p. 228.) Accepting this statement as correct, the accompanying detailed explanation was added, and its ingenuity and apparent truth no one can doubt, who admits the statement itself:—



The Fetter-Lock.

"Draycote was held of the Crown by the nominal service of supplying 'the third rod of the Marshalsea' in the King's household: by which is probably meant supplying one of the vergers, or wand-bearers, to attend upon the Marshal—the third rod's post, according to another record *(Test. de N.* 147*)*, being 'at the door of the king's kitchen' *(ad ostium coquinæ)*. The Shackle-bolt would accordingly be the emblem of the Assistant Marshal's authority over all marauders, or breakers of the peace, in that department."

There seems however some reason to dispute the correctness of Aubrey's statement. Hence I venture to submit another explanation of this badge of the Longs of Wraxall.

And, first of all, with regard to the peculiar tenure under which Draycote Cerne was held. No doubt this dated from ancient times. In the Exon Domesday for Wilts the owner of Draicote is called "Goisfridus *Marescallus*." He is included among the "Ministri regis," or King's officers, members of the royal household, or principal officers of the court, who held lands originally appurtenant to such office. (See Jones' *Domesday for Wilts*, pp. 147, 160.) This carries us back to the tenth, or eleventh, century. In those days, whatever accidental meaning may have been acquired by it afterwards, the word *marescal* (the equivalent of our *marshal*) had none which could appropriately be represented by the "fetter-lock," as an emblem of duties belonging to him. The word, as Max Müller tells us, is derived from the German, where in the old dialect *Marah-scalc* meant a farrier, from *marah* a mare, and *scalc* a servant. The care of the royal stables, whether in person or deputy, would seem to have been his duty.[1]

But, passing by the question of the appropriateness of the badge as regards the tenure of Draycote, is there any proof at all that it was so used, in ancient times, by the owners of that estate? As far as a somewhat diligent search has been able to ascertain, none whatever. In truth, not a single example of the use of this badge can be produced, which is necessarily of an earlier date than 1490, when for the first time Wraxall and Draycote were held by one and the same person—viz. by Sir Thomas Longe, who having first of all inherited Draycote, on the decease of his father John Longe, about 1479, (for whom the estate had been purchased,) succeeded to Wraxall also, on the decease, without issue, of his uncle Henry Longe, in 1490.

Of any earlier owners of Draycote than the family of Cerne, from whom it derives its second name, we have no memorials. At Draycote church there is a large cross-legged effigy, which, according to tradition, is the memorial of Sir Philip Cerne, who is said to have built the church about the year 1260; but on no part of the effigy,

[1] See some interesting remarks on the origin of this name and office in Hampson's Origines Patriciæ, p. 289.

nor of the arched recess within which it is contained, is there the least trace of the badge of the "fetter-lock." Neither, as far as my observation has gone, is it to be found on any of the more ancient portions of the church or tower. Then again there are, in the chancel, brasses of Sir Edward Cerne (*c.* 1393), and of his daughter Philippa; but on neither have we this badge, said to be emblematical of the tenure under which Draycote was held. Is it likely that it would have been missing, if the opinion, the correctness of which we are discussing, were founded in truth?

After the Long family were owners of Draycote we find plenty of examples of the use of this badge. On the tomb of Sir Thomas Long, who died in 1508, it is found, and also on Draycote Mill; but there it is in connection with the coat of Long impaling Darell, which fixes its date at a period subsequent to 1490.

The badge was seen in Aubrey's time on a large monument, now destroyed, in the church of Box, to the memory of Anthony Long (fourth son of Sir Henry Long, of Wraxall and Draycote), who was buried there in 1578. The use of it on such a monument would seem to show that they regarded it now rather as a family badge than as indicative of the tenure of Draycote. In fact it was at Box accompanied with the motto "Envi will lye," which is found only at Wraxall. (See Jackson's *Aubrey*, pp. 29, 56.)

The conclusion to which we come is this—that there is *no evidence* either that the Cernes used this badge of the "fetter-lock," or that the Longs first adopted it, when they became their successors at Draycote, as an emblem of the tenure under which that estate was held.

But now let us go to Wraxall, and see whether we have any proof *there* of an early use of the "fetter-lock" as a cognizance by the Long family, and whether, in the history of that estate, we can find any peculiarity that may account for it. Without doubt, the earliest known examples of its use are over the gateway leading into the manor house, and on an old tomb in the church at Wraxall. Judging from external appearances, there certainly seems no reason for considering the gateway otherwise than coeval with the older portions of the manor house, which would be about 1430-1450. At

he first glance we should assign the tomb, which is that of a female, vith what are described generally as the arms of "Long impaling Berkeley quartering Seymour," to about 1540. In both instances he date would be certainly forty or fifty years *before* Wraxall and Draycote were held by one and the same person.

On the supposition that the badge really belongs, in the first nstance, at all events, to Wraxall, can we give any account of it? I think we can—as the following extracts will show.

In the Shaftesbury Chartulary (Harl. MS. 61), in its account of "Wrokesham" (as Wraxall is there designated) as part of the manor of Bradford, the whole of which belonged to that religious house, we have, at fol. 82, the following entries respecting the tenants there:—

"Willelmus Bedel tenet *unam hidam* pro xx solid. pro omni servicio et *dimid. virg.* terræ p. *servic. de Bedel.*"

"Osbertus Sperling tenet *dimid. virgat.* pro qua debet sequi hundredū et omit. justic. et summonicōnes per totū hundredū, et ad comit. testificari."

These extracts, as we judge from internal evidence, relate to about he year 1250. They show that at that time one William Bedel, vho seems to have assumed as a surname that of the office which he eld, was possessed of *two portions* of land, one consisting of *ne hide*, another of *half a virgate*, the latter being appurtenant to he office of "Bedel" or "Bailiff" of the Hundred of Bradford. There was another small holding of *half a virgate* possessed by Osbert Sperling, as appurtenant to the office of what is in a subequent survey called that of "*Serjeant*" of the Hundred of Bradford. The duties of these functionaries consisted, amongst other things, n carrying out the machinery of the court of the Hundred, and enforcing its decisions. It is not difficult to see how appropriate a badge of such an office as the bailiff of the Hundred held would be he "fetter-lock."

In a survey of the manor, of the date 1630, we find the following entries, which *mutatis mutandis* seem but a translation, with some additional particulars, of the extracts above given from the Shaftesbury Chartulary. In the index to this survey, the office held by Daniel Yerbury, which exactly corresponds with that held some

four hundred years before by Osbert Sperling is expressly calle that of the "Serjeant of the Hundred."

"JOHN LONG Esq^r. is Bayliffe of the Hundred *by inheritance* and tenure o certain lands he holdeth in Wraxall as before is set forth."

Again at fol. 24:—

"JOHN LONG, Esq^r. holdeth freely *one Hide* of land in Wraxall as of th foresaid Manour, *sometymes the land of William Bedell*, by Knight's Service and XXXV*s*. Rent and Sute of Court," &c.

"The said JOHN holdeth also freely *one half-yard land* in Wraxall, as o the said Manour, by Serjeancye, viz^t to make all Somons in the Hundred an Court of the Manour of Bradford, which belong to the King as Lord of th Manour, before the King's Majesties Justices and at the Countie, and to somon all the men of Wraxall to do the Lords Workes, and to have his Drinking whe the Lord Steward shall keep the Hundred Court and Courts of the Manour, an to do all Executions which pertain to the said Hundred at his proper Costs an Charges," &c.

Then at fol. 25 we are told:—

"DANIEL YERBURY holdeth freely *one half-yard land* in Wraxall as of the foresaid Manour by Serjeancye, viz^t. to attend the Bailiff of the Hundred o Bradford to take distresses throughout the Hundred, to make somons, and to bear witness to the Bailiff."

The inferences we draw from these extracts are, that the Long family came into possession not only of the estate of "*one hide*," held in Wraxall about the year 1250 by William Bedel, but also into possession of the smaller holding of "*one half-yard land*" that was appurtenant to the office of "Bedel" (or bailiff) of the Hundred of Bradford. As the badge of the "fetter-lock" was adopted by them from the earliest period of their settlement in Wraxall, and certainly *before* they had anything to do with Draycote, we venture, in opposition to the usually accepted tale, to submit that it was used as an emblem, appropriate enough, of the honourable office of "Bedel" or "Bailiff" which they held there under the Abbess of Shaftesbury as Lady of the Hundred of Bradford.

October, 1872. W. H. JONES.

THE NINETEENTH MEETING

OF THE

Wiltshire Archæological and Natural History Society,

HELD AT TROWBRIDGE,

Wednesday, Thursday, and Friday, 7th, 8th, and 9th of August, 1872.

PRESIDENT OF THE MEETING,

CHARLES PENRUDDOCKE, ESQ.

THE proceedings of the Nineteenth Meeting of the Society opened at the Court Hall, Trowbridge, at one o'clock, on Wednesday, August 9th, the President of the Society, Charles Penruddocke, Esq., in the chair; who called upon one of the Honorary Secretaries, Rev. A. C. Smith, to read the Report of last year's proceedings and our present position, which that gentleman did as follows:—

REPORT FOR 1872.

"The Committee of the Wiltshire Archæological and Natural History Society offers its Report of the operations of the Society during the last twelvemonths with singular satisfaction, inasmuch as it is at length able to announce that the acquisition of suitable premises for a library and museum at Devizes has been effected, and that the funds requisite for their purchase have, through the liberality of kind friends been collected, and that the buildings are now in course of alteration and preparation for their requirements, and that the Society will very shortly be placed in the happy position of occupying apartments of their own, where they can more satisfactorily bestow their collections, and where the members of the Society can more conveniently examine the Archæological and Natural History treasures, and consult the books in their possession.

"Your Committee desires to recall to your recollection that one of the principal objects which the Society had in view from its inauguration in 1853, was, by its first Rule, 'to preserve, by the formation of a library and museum, illustrations of the history of the

county, viz. :—published works, manuscripts, drawings, models, and specimens;' and by the sixth Rule it was resolved that such collections 'be deposited at Devizes,' as the most central town in the County. From that time to this the Committee has never lost sight of this desireable object, though it has waited the opportune moment with patience, but from year to year has kept the subject before the Society in the annual report, and expressed an earnest desire for its realization.

"It is therefore with no ordinary pleasure that the Committee now congratulates the Society on its accomplishment, and desires to express its hearty thanks to those who have been most forward in the matter, amongst whom it would particularly mention the High Sheriff of the County for last year (Mr. Spicer), who presided at the special meeting called for the purpose, and threw himself heartily into the scheme, and headed the subscription list with a munificent donation: and also the Mayor of Devizes (Mr. Wittey) upon whom, (in conjunction with Mr. Cunnington) has devolved the principal labour of inviting the subscriptions of members, and collecting the necessary funds, and to whose energy in the work our present success is in great measure to be attributed.

"To pass on to other matters:—The Committee has again the pleasure of recording the general prosperity of the Society; the number of names now on the books amounting to 321, or rather above the number of last year; the reduction by death, withdrawal, or removal from the County being somewhat more than counterbalanced by the enrolment of new members.

"In regard to finance, your Committtee is also able to speak encouragingly, inasmuch as our receipts for the past year have been fully equal to our current expenditure.

"With respect to the Magazine, two more numbers have been issued within the last twelvemonth, which we humbly venture to think will bear comparision with similar publications of kindred Societies: another number (the thirty-ninth, and completing the thirteenth volume) is now in the press, and will, we hope, shortly be in the hands of members.

"Amongst the operations of the last twelvemonth, your Committee

s happy to report the preservation of the unique Anglo-Saxon Chapel
at Bradford-on-Avon, alluded to in last years' Report, and in which the
Society has taken a special interest: and for this timely rescue of an
nvaluable relic of Saxon architecture we are indebted to the zeal
and perseverence of the Rev. Prebendary Jones, and the Rev. E. L.
Barnwell.

"In connection with this subject, it may be well to state that the
preservation of the more remarkable monuments of antiquity is at
length attracting the notice of Parliament; and it is confidently
expected that a bill will be brought in next session, with this object
in view, prominent in which will stand the great monuments of
antiquity of this County, of world-wide renown; but for whose
preservation from wanton injury we are oftentimes, and not without
reason, anxious.

"Your Committee also hails with satisfaction the Wild Birds
Protection Bill, which has just passed its third reading in the House
of Lords; and thinks it right to mention these bills, in its Report
of the operations of the Society during the past twelvemonth, as in
the furtherance of both these bills, the Wiltshire Archæological and
Natural History Society has taken part.

"It remains only to offer our hearty thanks to those who have,
during the past year, contributed to our collections, among whom
we would especially mention Mrs. Chamberlaine, of Seend, who has
enriched our Museum with a large cabinet, containing fossils and
minerals, chiefly collected in Wiltshire by the late Mr. George
Chamberlaine; and Mr. Henry Butcher, of Devizes, who has added
to our library the valuable publications of the Palæontographical
Society, contained in twelve volumes quarto. Your Committee
would also take this opportunity of especially urging on your attention
the enrichment of our new Museum and Library, by the contribution
of objects of interest from all parts of the County, as well as from
other sources, again reminding you, that while isolated specimens,
scattered amidst numerous owners are comparatively valueless, their
collection and assortment and comparison with others of a kindred
nature enhances their value a hundred-fold, while from the very fact
of their being deposited in a Museum, they are seen and examined

by numbers, so that every specimen may be said in some degree to help to illustrate the original or the natural history of our county.

"Your Committee concludes the Report by once more urging on its many members in all parts of the county continued and careful observation of objects of interest in their respective localities; and by again inviting communication with the Honorary Secretaries on all matters which shall come under their notice which shall tend to elucidate the past history of our county, or increase our acquaintance with its natural history."

On the motion of the CHAIRMAN, the Report was adopted and ordered to be printed; the Vice-Presidents of the Society, the General Secretaries, the Local Secretaries, and Committee were re-elected, and other formal business of the Society disposed of; and then the President addressed the meeting as follows:—

Ladies and Gentlemen,—It gives me the greatest pleasure to appear before you to day, not only from the position in which I find myself as President of the Society, but as a fellow archæologist who is anxious to do his best to instruct and give you pleasure, and who is now much gratified at seeing so many friends present, ready to afford him encouragement and support. (Hear, hear.) This is actually the 19th anniversary of our Society, and it is with pride that I am able to tell you, once more, of the complete success which has crowned all our endeavours. Again we rally round us the best literary genius—the deep searcher of antiquarian lore, and the more humble but not less useful delver among our buried treasures. But also, I am proud to say, that we have gained the confidence of the great and wealthy people of this county. No longer is the antiquary turned away from the door with an admonition to retire to some place popularly supposed to be exceedingly hot—(laughter)—but invited to enter and inspect for himself, to then place on record what he has seen, and to publish it for the benefit of all. Nor does the archæologist digest only the ponderous tomes which fill the libraries of our great mansions, and painfully extract sweetness from a musty parchment! He sips a sweetness also from a cup of nectar which is most generously put to his weary lips, and he (but we must not make this public) digests a very good dinner at the expense of

his entertainer. (Applause.) I assure you, ladies and gentlemen, and especially ladies, that it is a very happy time with archæologists, and I would persuade you all to add the name of a friend or relative to our present list of members. I am glad to tell you that the Society is doing very well, that its members are increasing in number, and that the funds are adequate for all its requirements. Through the liberality of the members and of the county people, assisted by other friends, we have been enabled to purchase a building in Devizes which, with some alteration at a moderate cost, will be admirably adapted to form a museum for objects of very great interest which are now the property of the Society. I confess that at first I was not prepared to advocate the formation of a museum at Devizes, for I thought it might degenerate into a purely local one, and one without sufficient interest for the public generally—but I very soon altered my opinion, and now believe that this museum is really wanted, not only as the receptacle of such antiquities as may, and have, become the property of this Society, but also for those exhibitions of ancient relics—pictures and family collections—a sight of which is so much coveted by the enquiring public. It is not every one who has the chance, or perhaps can afford to spend a few days in London to see the wonders of the British Museum or the art treasures at Kensington. But with proper buildings in our own county we may show a number of exceedingly rare and valuable things, and thus bring knowledge to the very doors of the humblest individual. Do not let it be supposed that archæology and archæological pursuits are necessarily confined to the upper classes, or to those of a superior intellect or education. It is the aim of this Society to inculcate a spirit of enquiry and research, and to encourage by all means a love for investigation, and to foster and cultivate a taste for the discovery of any thing which may serve to throw fresh light upon the habits and customs of our ancestors. It becomes of more consequence than may be at first imagined to persuade the plough-boy when he turns up a coin with his plough to refrain from rubbing it bright upon the first stone he can find, and to educate the drainer and navvy to spare the interesting but seemingly valueless objects which they meet with in their labours. We may

all in our turn become archæologists, and try to unravel the web which inexorable time has thrown over the history of the past: and though we may not succeed in our labours to the extent of those great antiquaries who have secured so much for us, yet we may even aspire to assist them by our efforts. And here I should like to pause a moment, and pay a tribute of respect to the memory of three of our members who have died since our last meeting. I cannot mention the name of Sir Thomas Phillips without saying that to him we owe the possession of one of the greatest collections of manuscripts which any one man at his own cost ever made. (Hear, hear.) To the wit, intellect and urbanity of the Rev. Prebendary Fane all who knew him can well testify. (Applause.) We shall find a charming paper written by him for the *Wiltshire Magazine*, (vol. iii. p. 47) on Edington Church which we hope to visit in our itinerary. The assistance which the Rev. E. Wilton has given to this Society will cause him to be remembered as an able archæologist, while his gentle, loving kindness shall keep his memory fresh in our hearts. (Applause.) We do not forget the labours of existing antiquaries and are very thankful for their contributions to our Magazine. To the assistance of our excellent Secretaries with their untiring zeal, displayed in all they do, and for all the excellent local as well as county support, do we owe our chief success. I might here perhaps allude to the Government Historical Commission, which has for its object the elucidation of history by a careful examination of papers and documents, which for the most part have remained until now shut up in the muniment rooms of our great county families, and to which, very rightly, access could never have been had, except through responsible persons. The Commission has visited Wiltshire, and Lord Arundell of Wardour has most kindly thrown his store open to them. In their report No. 2 is given a list of the principal papers at Wardour. The Marquis of Bath has also allowed his fine collection of manuscripts and historical documents to be examined, and without a doubt a summary of them will be given in their next report. Through the energy of Mr. Layard, when first Commissioner of Works, a special committee was appointed to draw up and submit to Parliament "a list of such regal and other historical tombs or monuments existing

in cathedrals, churches, and other public places and buildings, as, in their opinion, it would be desirable to place under the protection of the Government, with a view to their proper custody and preservation." The Rev. Canon Jackson undertook to make a return for Wilts, which has been published in a tabulated form. The special committee in their report say that they have taken only those monuments which are absolutely known to belong to those individuals to whom they were erected. Sir John Lubbock, on Monday night, gave notice in the House of Commons that next session he should move for leave to introduce a bill for the preservation of historic monuments of interest. (Hear, hear.) And perhaps I may be allowed to draw your attention to a work by Mr. Fergusson on Stone Monuments. He says a good deal about Stonehenge and Abury, and is of opinion in connection with Mr. Algeron Herbert and other antiquaries, that they are not so old as supposed. Of Stonehenge, in particular, he holds that it is of the fifth century. For my own part, I cannot offer a conjecture which is satisfactory to myself concerning the origin of this great Wiltshire antiquity, but agreeing perfectly with what has been said by a noble president of this Society, Lord Nelson, and strongly urged by Mr. Matcham, of New House, I hope with them to see a Stonehenge congress of *savants* composed of English, Irish, Welsh, and French, who, united in an assembly, shall form such an opinion as may perhaps set at rest this vexed question for ever. (Hear, hear.) I need hardly descant upon the great value of these proceedings, not only to the archæologists of Wiltshire, but to the whole body of antiquaries. We still hope to see more of those "Parochial Histories" so ably commenced by the Rev. Prebendary Wilkinson, and we shall gladly welcome any contribution in the shape of local history from our members, both new and old. And while we have such free leave given to us by our county families to examine their family papers and archives, I hope the students of Wiltshire topography may also in due course have free access to the Sarum registry. I am informed that free access has been obtained for the public to ancient wills and records in other registries—that all fees have been abolished and full power given to make extracts, which could only be done before by

the officers of the registry at a heavy cost. At a meeting in 1870 a suggestion was thrown out by me that the Society should form a collection of portraits of the "worthies of Wiltshire," by means of photography. I feel certain that this work, if properly carried out, will interest everybody. We cannot afford to have copies of our splendid portraits which exist, but we may have excellent reproductions exhibiting a sufficient accuracy of feature and detail both to satisfy the eye and repay the cost of production. I plead that this suggestion may be acted upon hereafter. And now, my friends, I think I may turn to the subject of our present meeting, and see if I can give you a description of the bill of fare which has been provided for you. You will recollect that it was promised that at no distant day we should visit "Trowbridge and its district," after having thoroughly investigated "Wilton and its surroundings" at our last meeting. We are now at Trowbridge, and have received a welcome from the inhabitants and principal personages of the town and neighbourhood, such as is accorded only to those happy archæologists whom I have before hinted at. Let me pause here to offer them our best thanks for all their generous kindness and hospitality. It is very much appreciated, and will not be forgotten by any of us. You will hear a paper read to-day on the Chronicles of Trowbridge, from the able pen of the Rev. Prebendary Jones, and have an opportunity of inspecting the town before we meet at our anniversary dinner in the afternoon. Mr. Ravenhill is to give us a paper on Sir Walter Long, and at our *Conversazione* in the evening we shall hear papers on "the White Horses of Wilts," by the Rev. W. C. Plenderleath; on the "Iron Ore of Westbury," by Mr. W. Cunnington; and on "Cuttridge and Brook-house," by the Rev. E. Peacock. I must not enlarge upon any of these matters, or I might be accused of poaching upon other persons' manors, and I confess that I am right glad that the matter is left in abler hands than mine. The derivation of Trowbridge at first sight appears to be from Trolebyrig, or the castle by the Trowle. On the west of the town is a hamlet called Trowle, and the Bridge over the Biss has been designated Trowlebridge, or Trowbridge, but as Straburg is the name given to Trowbridge in Domesday Book it is more probably derived from "Trole"

—of which I confess I don't know the meaning—and "burg," which signifies a hill. Trowbridge in the days of the Normans had its Castle, which stood on an eminence now known by the name of Court Hall, and at present covered with factories. Around the Castle, the town grouped itself. In the 4th year of the reign of King Stephen, Humphry de Bohun, a great noble, held the Castle for Maud—daughter of Henry 1st, in such sort, says Dugdale, that it was impregnable, and withstood the attacks of the King. In the reign of Edward III., the Castle was held by John of Gaunt. Leland, in his Itinerary, speaking of the Castle in Henry VIII.'s time says it stood on the south side of the town, but is now "clene down." There was in it "a 7 very great toures, whereof peaces of 2 yet stand." Some part of the towers, remained as late as the year 1670. There is an engraving of the Castle, which answers to Leland's description in a book called "The Church Restored," by the Rev. J. H. Hastings, late Rector of Trowbridge. It is taken from an old painting found some years ago within the wall in the house of the late Mr. Samuel Salter, and now in the possession of W. Stancomb, Esq., the lord of the manor of Trowbridge. After his little notice of the Castle, Leland says, "the river runneth hard by the Castle." I am sure that it did not run blue in his time, as it does now, and I trust that it will eventually be made to resume its natural colour, and become a source of pleasure to the angler. (Hear, hear.) Well worthy of inspection is the fine parish church of this town, built about the year 1475. In the Register chest is still to be found a document containing the names of the contributors to the good work. Close to the church used to stand an almshouse built by James Terumber, "a very rich clothier," as Leland calls him who, in addition to its endowment, founded a chantry, and bestowed certain lands, which would in the present value of money be about £300 a year, for its maintenance. It is possible that at the dissolution of the chantry, the payments for the alms folk was neglected, as provision for the chantry and almshouse was made in the same deed. I am not aware whether any portion of the old building of Terumber's exists, but I am pleased to add that through the liberality of other rich clothiers, a new almshouse was built, and worthily endowed; and

moreover other almshouses have been erected by public subscription for the benefit of clothiers and others—benefactors who follow in the footsteps of their open-handed and generous townsmen. Beside the charity above named, there was a religious guild, which was called "the brotherhood of Corpus Christi," formed, I believe, for the purpose of mutual help and association in religious exercises, and not in any way connected with trade. Leland, in his quaint way, says, "the Church of Throughbridge is lightsum and fair," "One Molines is parson there, a man well learnid." This learned parson was one Thomas Moleyns, who was appointed Rector of Trowbridge in the year 1528, and seems to have resigned about the year 1541. Let us not forget that the poet Crabbe was Rector here from 1814 to 1832. A monument by Bayly covers his remains in the chancel of this church. We hope in our excursion to-morrow to take in North Bradley. North Bradley is mentioned in Domesday Book. The owner was Walter Gifford, ancestor to the Earls of Buckingham, much of whose land came afterwards to Greyville or Greynville of Southwick, in that parish. The Longs of Draycot had the principal manor at one time, until it came to the Earl of Mornington, by maternal descent. In the fine church of Bradley is much that will interest the herald and antiquary. The manor of Southwick, and the advowson of the chapel at Southwick Court, appear to have passed about A.D. 1341, to the heiress of Greynville or Greyville, and to Humphrey Stafford, father of John Stafford, Archbishop of Canterbury. The Archbishop's half-brother, Humphrey Stafford, of the "Silver-hand," left an heiress, Alice Stafford, who married Sir Edmund Cheney, and this brought the manor into the family. Afterwards by an heiress of the Cheneys, it came to Sir John Willoughby, of Broke, *c.* 1430. In 1483, Southwick was given by King Richard III. to his favorite, Edward Ratcliffe, but must have been restored to the Brokes, for in the year 1520 it was sold by Robert Willoughby, Lord Broke, to Sir David Owen, a supposed son of Owen Tudor. Part of these lands was sold by Henry Owen, to Sir Woolstan Dixie, Lord Mayor of London, who by will 1592 devized his lands here (worth £42 per annum) to Christ's Hospital; another portion through various

heiresses (useful creatures) reverted to the Longs of Whaddon, from whom it has passed to the present owner, Richard Penruddocke Long, Esq., of Rood Ashton. A very interesting sketch of the old Court of Southwick is given in the Collections of Aubrey and Jackson. Some part of Southwick belonging to Edington Monastery was held after the dissolution under Sir Thomas Seymour, Lord Sudeley, by Ambrose Dauntsey. The mortuary chapel appertaining to Southwick will repay an inspection. It contains the tomb of the Archbishop of Canterbury's mother, Emma, sometimes called the second wife of Sir Humphrey Stafford, sen., and the interesting inscription to her memory still remains. At Coteridge in the tything of Southwick lived John Trenchard, who died in 1723, and who was the author of the "Independent Whig." Brook House Farm, two miles north-west of Westbury, is built on the site of an old house of the Paveleys called Brook Hall, which successively passed into the hands of the Cheneys, Willoughby de Broke, and Blount, Lord Mountjoy and others, and now finally remains in the hands of Mr. Phipps of Leighton. Dugdale says that Lord Willoughby de Broke took his title from his residence at Broke, near Westbury, called from the little "torrent" running there. From Aubrey's description of Brook Hall, it must have been a place of some note, and Leland says it had a fair park with a number of oak trees of good quality growing in it. But on to Westbury—Placed near the site, or rather on the west of an old Roman site, it appears to have obtained the name of West-bury. Westbury is mentioned in Domesday Book, and held a most respectable position. It is curious to find in the record that there were nine honey gatherers especially named as then being among the inhabitants of the town. At that time, as I believe it is now, the honey made by bees who gather their store in the vicinity of and upon the Wiltshire Downs must have been in special request. Till Henry the First gave land to the church at St. Mary's at Sarum, the whole of the manor and hundred of Westbury was in the hands of the king, and with scanty exception remained in possession of the Crown till King Henry III. gave all the remainder to Reginald de Paveley. His descendants held it for a long time, but at present the parish appears to be divided into six manors. The church is

worth inspection. The chancel is supposed to be part of the nave of the old church, and portions of it partake of the Saxon character. Tradition still points out a site at Westbury Leigh as the residence of our Anglo Saxon Kings, and to this day it retains the name of the Palace Garden. In the south transept is a monument in the Corinthian style to James Ley, "that good" Earl of Marlborough, who was born at Teffont in South Wiltshire. Sir Richard Hoare has a good engraving of it in his work on Modern Wilts. In this church was formerly a chantry chapel built in the time of Henry VI., and founded by John de Westbury and his son William. The latter was an eminent lawyer, who was called to the rank of serjeant-at-law in 1421, and justice of the Common Pleas in 1426. In 1861 the name of Westbury was selected for the title of his barony by the Right Hon. Sir Richard Bethel, Lord High Chancellor of England, who is a native of Bradford-on-Avon, in this county. Among the ejected ministers of Wiltshire is the name of Phillip Hunton, M.A., who was instituted to Westbury in 1657 and died in 1682. Westbury has of late become more known from its ironworks. A paper by my friend Mr. Cunnington, on this subject will be read to you. Aubrey, in his Natural History of Wiltshire, conjectures that the clothiers left Seend and settled at Trowbridge because the water being impregnated with iron was not proper for the fulling and washing of their cloth. Might this have been the case with the clothiers of Westbury? From Westbury we go to Bratton, with its pretty little church dedicated to St. James. Nestling at the foot of our Wiltshire Downs, near the summit of which is the white horse of Westbury, the quiet little village seems to rejoice in the protection of the earthwork above, called Bratton Castle, situate nearly 800 feet above the level of the sea. A description and history of the White Horses of Wiltshire will be given us by the Rev. W. C. Plenderleath, and I will refrain from risking too much of an opinion on their origin. I like to think of the old tradition, which makes the white horse the standard of the Saxons, but I find that the historian Henry of Huntingdon, speaks of the golden dragon as the standard of the West Saxons. However, the Bratton horse is evidently of a good breed, as Sir Richard Hoare tells us.

(A laugh.) I am still content to think that King Alfred fought his decisive battle with the Danes at or near our Wiltshire Edington in the year 878, and that the place called Dane Leys was the encampment of the enemy, just before the King invaded their quarters, after his forced march from Athelney. Their retreat to their stronghold over the downs above the scene of action prevented Alfred from making short work of them, as we should say now, but within fifteen days the Danes had to capitulate and to accept the terms of their victor. Researches have been made within the area of their camp, and vegetable earth and pottery have been found, and three skeletons; but without doubt this camp would repay further inspection. Through pleasant Wiltshire lanes we reach the beautiful church of Edington. Erected by Bishop Edington, a native of the place, and the predecessor of William of Wykeham in the see of Winchester, it is a good example of the transition from the decorative to the perpendicular style. It took nearly ten years in building. The first stone was laid in 1352. At Edington the Bishop founded a college for a dean and twelve prebendaries, so that the place was becoming of considerable ecclesiastical importance, but soon after he converted it into a brotherhood of the order of St. Augustine, but of a particular class called *Boni homines* or *Bon hommes*. Edward the Black Prince is said to have had a particular leaning to this order of "good fellows," and on his return from France persuaded the good Bishop to adopt that species of monasticism. The interior of the church, with its curious old tombs and monuments will well repay attention. From its very altar was dragged the unfortunate Bishop Ayscough by Wiltshire peasants, during the rebellion of Jack Cade, and murdered on the downs, his assumed fault being that he was too much at Court, and did not exercise sufficiently the rights of hospitality in his diocese. On the north side of the church is still to be found a portion of the old conventual buildings, part of the buttressed wall of the garden, and the site of the monastic fishponds. Near Edington is the beautiful seat of Simon Watson Taylor, Esq. It derives its name of Erle Stoke from having belonged to Edward d'Evreux, Earl of Sarum. Of Steeple Ashton proper, which includes West Ashton, Rood Ashton, Henton, Littleton, and Semington,

I fear I have not space for more than a slight sketch. The original name of the manor was simply Ashton, and was left by King Alfred to his youngest daughter by will for her maintenance. King Edgar, in the year A.D. 694, gave it to the nunnery of St. Mary, at Romsey, in Hampshire, to whom it belonged for 571 years. The general lordship of the whole manor at the dissolution was granted to Sir Thomas Seymour, Lord Sudely. In 1610, it formed part of the maintenance of Prince Henry, son of James the First. At the present time the estate for the most part has become the property of Mr. Long, of Rood Ashton. The Church, dedicated to S. Mary, was finished about 1500. The north aisle was built at the expense of Robert Long and Edith his wife—the south at the expense of Walter Lucas and his wife Maud. In the church are monuments to the Long family, and to Beach and Bennett, of this parish. George Webb, who was Vicar here, became afterwards Bishop of Limerick in 1634, and died in Limerick Castle, where he was confined by the rebels. He was an author, and his portrait exists in one of his publications called the "Practice of Quietness." He was first rector of Sutton Mandeville, then of St. Martin's-in-the-Fields, London, and was ejected from Steeple Ashton by the Act of Uniformity. * * * I think that after you have examined the places of which I have now given you a slight outline, you will not unnaturally be glad to turn in at the lodge of my hospitable brother-in-law, Mr. Long, and enjoy the delicious shade of the noble trees in driving through his park. At his residence we are sure to be sumptuously entertained—(applause)—and I feel very little doubt but that the ancient dust which we have been swallowing will be none the worse for being washed down by modern champagne. (Applause.) An interesting paper on Rood Ashton, and the ancient family of the Longs, will be read to you by my friend Canon Jackson. On the third day we propose to visit the romantic town of Bradford-on-Avon. A very curious old town is this, and of excessive interest, as well to the geologist as to the antiquarian. It would be beyond my province to speak at length of this quaint old place, for everything that can be said, has been well said by the worthy vicar of Bradford in his contributions to our Magazine, but I may perhaps be allowed

to draw your attention to the leading objects of interest, and especially as I see some new members present to whom such lore may be acceptable. Bradford takes its name from the broad ford over the Avon below the bridge, and which was in use even up to quite a late date. There is some proof that the Romans were in this locality about the year A.D. 62, and in the upper part of the town. The popular name of the "bed and bolster," given to their earth works, in allusion to their shape, is not a very bad recognition of a portion of their encampment. Bradford was the occasional residence of our Saxon kings, and by one of them, Cenwealh, who was King of Wessex, 652, Christianity was introduced into this town. That accomplished Bishop Aldhelm, founded a monastery here, and dedicated it to St. Laurence. It is just possible that a small portion of this building may be incorporated with the edifice now known as the Free School. The building itself was of the most interesting character. The great council of the nation was held here, and Bishops elected to vacant sees. Amongst others, Dunstan, Abbot of Glastonbury, was appointed Bishop of Worcester. Tradition speaks of a mint having been established at Bradford, but I find no corroboration of this. King Ethelred, in the year 1001, bestowed the manor of Bradford upon the Abbess of Shaftesbury, and by this very materially increased her revenue. The troublous reign of Ethelred proved disastrous to the monastery of St. Laurence, for the turbulent Danes, disgusted by the treachery of the King towards them, levelled it to the ground. Bradford under the Norman Conquest appears to have retained its Anglo-Saxon population. The Abbess of Shaftesbury still had the manor, and the land was in many cases held by military tenure under the King. It is curious to note here that honey was made an article of payment, and that vines were cultivated in vineyards. From the chronicle of William of Malmesbury, we learn that King Stephen besieged the Castle of Trowbridge, and it is probable that Bradford did not escape being involved in the conflicts which were perpetually occurring in its neighbourhood. In the year 1295 Bradford sent two members to Parliament on the occasion of a proposed invasion of England by the King of France. At the dissolution of the monasteries the lay

manor was leased out to Henry, Earl of Pembroke, by Queen Elizabeth, and afterwards to Sir Francis Walsingham. It then came through a series of changes to the Hobhouse family. The troublous times of the Commonwealth affected many of the chief people of this town and neighbourhood, who had to compound for their estates. Amongst others was Edward Yerbury, members of whose family were involved in the insurrection against the Protector, Oliver Cromwell, and more properly known as "the Penruddocke Rising" in 1655, but they fortunately escaped the death which fell to the lot of my brave ancestor. During Monmouth's rebellion part of the forces of King James II. fell back upon the town. A pair of pistols, left by an officer of the Duke of Monmouth, were exhibited in the local museum at the last meeting of the Society at Bradford just fifteen years ago. The woollen manufacture in this town, even as far back as the time of Leland the historian, was of considerable importance. Paul Methuen, the leading clothier of the day in the 17th century, raised the character of the manufacture by introducing "spinners" from Holland. That portion of the town where those spinners lived still goes by the name of Dutch Barton. The church, certain portions of which partake somewhat of the Norman character, is worth a visit, and has many tombs and monuments. On the summit of Tory Hill are the remains of a chapel dedicated to the Virgin Mary, and a small chapel originally used for mass is still in existence on the ancient bridge of the town, while the ecclesiastical looking barn at Barton may claim your attention as a work of the 14th century. Efforts are being made to preserve and completely restore the Saxon church of St. Laurence, to which I have alluded, and this society has already contributed the sum of £25 towards that object. (Applause.) Conspicuous from the railway is the Jacobean house, built by one of the Hall family, and afterwards the residence of the Duke of Kingston. Here lived that very eccentric lady, the notorious Duchess of Kingston. The house, after falling into disuse, happily passed into the hands of Mr. Stephen Moulton, a magistrate of this county, who has restored it in the best manner with great taste and judgment. Our route will now be through the picturesque village of Westwood, with its pretty church and interesting old

Manor House of the 15th century, and Winsley demands attention as having been the scene of one of Alfred's battles with the Danes. Turley House, the birth-place of Edmund Burke, is close by, and Freshford reminds us of the gallant Sir William Napier, who there wrote his "History of the Peninsular War." We may, in imagination, see the Monks of Cluny in their Priory at Monkton Farley and the Carthusians at Hinton Charterhouse, while Hinton Manor House, built out of the ruins of their Abbey, and now the residence of E. T. O. Foxcroft, Esq., will recall the memory of the magnificent Hungerfords. At South Wraxall is a curious old mediæval Manor House. Over the entrance gate is a little room with a pretty oriel window. Some parts of the house are said to have been built by Robert Long, M.P. for Wiltshire, 1433. The drawing-room has a highly-ornamented plaster ceiling, and a splendid chimney-piece with carved figures and quaint inscriptions. Walker, in his "Pugin's Gothic Architecture," gives elaborate details of this fine old Wiltshire mansion. At a short distance from it are the remains of a small chapel temp. Ed. I., now enclosed in a modern house. This chapel might possibly have been a resting-place for pilgrims on their way to the shrine of St. Joseph of Arimathea at Glastonbury Abbey, like Chapel Playster, which Aubrey distinctly speaks of as a place of entertainment for pilgrims going to Glastonbury. The date of Chapel Playster was probably about 1480. The old Wiltshire Chronicler speaks of it as "the chapelle of Playster." Possibly, it might have been built by a person of the name of Plaister, but I am more inclined to agree with Mr. Lower, who in his "Patronimyca Britannica says that Playster is a corruption of Playstow—*i.e.*, *locus ludorum*—a place of play for the recreation of the inhabitants of a parish. White, in his delightful history of Selborne, describes such an open place, which was called Plestor. Near this little chapel Playstor stands a small house which was at one time the head-quarters of the celebrated Wiltshire highwayman—Thomas Boulter, whose father was a miller at Poulshot, near Devizes. It is said that he possessed a famous black mare, called "Black Bess," which was reared by Peter Delmé, Esq., of Erle Stoke, and was a descendant of the far-famed Black Bess of Dick Turpin. Before returning to

Trowbridge, we ought to see Great Chalfield. It is interesting as having been an outpost of the Romans, and for the remains of a fine Manor House of the 15th century. The best description of this building is to be found in Walker's vol. iii. of "Pugin's Examples of Gothic Architecture." It is said to have been built by Thomas Tropenell, who died in 1490, and who, with Agnes his wife, who was the daughter of Wm. Ludlow of Hill Deverill, lies buried under an altar tomb in Corsham Church. Chalfield is mentioned in Domesday Book under the name of Caldefelle, and was held by Ernulf de Hesding of the king. The manor of Great Chalfield was held by Sir William Rous of the Earl of Salisbury as part of the "honour" of Trowbridge (which belonged to the Duchy of Lancaster). By virtue of this manor Rous and the Lords of Chalfield, for the time being, were Constables of Trowbridge Castle. Great Chalfield was in the possession of the Norman family of Percy, but a certain Constance Percy described in the old MS. as "Bedfellow and Cousin" of Master Robert Wayville, Bishop of Salisbury, and afterwards widow of Sir Henry Percy, did marry a second husband, and prove "very naughty," and an expensive lawsuit arose about the Manor of Chalfield; but at length, about the 24th year of Henry VI., Thomas Tropenell, who was connected by marriage with the Percys, recovered the greater part, and afterwards the whole, except the constableship of Trowbridge Castle, which of right belonged to the Manor. In the time of Edward III., Philip Fitzwaryn held the Manor, which successively passed from the Tropenells through the want of male heirs to the family of Eyre, and to Sir John Hanham, by whom it was sold to Mr. Hall. A daughter of Mr. Hall brought the property to the last Duke of Kingston, who sold it to the family of Neale, descendants of the O'Neals, Dukes of Tyrone, Ireland. The church of Chalfield would appear to be even older than the manor house. In it is a beautiful chantry chapel built by Mr. Thomas Tropenell and adorned with the arms of his family, shewing his descent from the Percys. Near Holt we see, on a grassy hill overlooking the river, the little church of Whaddon, which contains some interesting memorials of the Long family. At Whaddon there formerly stood a fine manor-house

whose site is marked by the grand old elms which still surround it. Wyke House, at Staverton, the residence of Captain Perkins Clark, is a good specimen of the domestic architecture of James I. It, at one time belonged to the Vynour family. Sir Henry Vynour was living there in 1623. His mother was a daughter of Robert Long, Esq., of London. And now pray forgive me for trespassing so long on your time, and let me thank you very much for the kind attention which you have bestowed upon my efforts. (Mr. Penruddocke resumed his seat amidst great applause.)

The Rev. A. C. Smith moved a cordial vote of thanks to the Chairman for his very able address: they had already had experience of the capabilities of their President as an Archæologist at Wilton, therefore they expected an excellent address from him, and most certainly they were not disappointed in their expectations. There were two or three matters touched on in the address on which he desired to say a few words. Reference had been made to the work of Mr. Fergusson and the strange doctrines it contained; speaking for himself and for many of his friends around him, (he believed he might say for the Wiltshire Archæological Society generally,) they utterly repudiated the theories which that gentleman had thought fit to broach. They could not bear to think that their grand antiquities at Avebury and Stonehenge were post-Roman: and they did not believe it for a moment. With regard to the parochial histories which had been alluded to, he (Mr. Smith) had now in his charge the histories of some 65 parishes in the county, and there were others now in the course of preparation: he was about to issue with the Bishop's sanction, fresh applications to those incumbents who had not yet responded to the Society's appeal, and he hoped the result would be that eventually they would obtain a history of every parish in the county: these histories would hereafter, by the express desire of the Bishop, be deposited in the Society's Library at Devizes, where they would be open to the inspection of the clergy and others. One other matter he would mention, and that was the want of a competent entomologist to elucidate the insect branch of the Natural History of the County: he trusted that some one whose taste lay in that direction would volunteer to supply the

information needed, and communicate with him on the subject.

W. W. Ravenhill, Esq., then read a very interesting paper on "Sir Walter Long, which will be printed in extenso in a future number of the Magazine, and for which the President tendered the learned author the best thanks of the meeting.

The Rev. Prebendary Jones, F.S.A., gave a very able address on the "Early Annals of Trowbridge;" and with this also in full it is hoped that the pages of the Magazine will be enriched.

This terminated the proceedings of the morning meeting, and the company then proceeded to examine the various objects of interest with which the temporary museum was filled, while others visited the churches and other objects of interest in the town.

THE DINNER

Took place at the George Hotel, at half-past five o'clock, the President of the Society in the chair. After other complimentary toasts, Archdeacon Stanton, in replying to that of the Bishop and Clergy of the Diocese, said that as a member of the clerical body, he felt that they owed great gratitude to the Archæological Societies of England. Their Society was only one of many, for now, he was happy to say, they had them in almost every county in the land. In the preservation of everything that was valuable in antiquities they found powerful handmaids in those Societies. They found that wherever their annual meetings were held, they stirred up a great deal of interest in regard to old buildings among people who were previously indifferent to such matters, and were also the means of preventing that neglect which prevailed in many places, and in consequence of which many valuable buildings had been permitted to fall into decay. But he could not help admiring the great change which was coming over England in the rapidly extending, intelligent desire for the preservation of objects of antiquity. They were beginning to find that there was a latent spirit—a kind of instinct—of archæology in all persons. They had all tastes of some kind in that way; some liked old books, some old houses, some old manuscripts, some old pictures, some old castles, and some old cathedrals. Now, all those varied tastes existing among them,

bound them together as friends. (Hear, hear.) Those meetings were not only a source of benefit in their tendency to spread a regard for preservation of old buildings—for they valued the old landmarks of the land—but they were a fund of wealth to the country because those ancient edifices which enriched the country attracted from foreign lands—especially from America—men who admired such things and who had not in their own country such treasures as England possessed. Those Societies were engaged in various places, restoring beautiful and valuable old structures, and men were coming from distant lands to admire those things which our forefathers had committed to our keeping. (Hear.) His conviction was that if such Societies had existed 200 or 300, instead of 40 or 50 years ago, there would be a very much larger number of architectural and other treasures in existence; and he trusted that that Society and all Societies having similar objects, would meet with all the encouragement they deserved, no matter where they held their annual meetings. (Applause.)

In acknowledging the toast of the General Secretaries, the Rev. A. C. Smith congratulated the members upon the prosperous state of the Society, and upon the erection of a building at Devizes for its use. He said it was very gratifying to observe that the spirit of archæology, and a love of natural history was penetrating into every part of the county, and that there was great hope that the antiquities of the county would be more carefully preserved than they had been hitherto. (Hear, hear.)

Professor Donaldson, in responding to the health of the visitors, said that there was one sentence in the President's address which touched him, and that was the allusion to the building which had been taken at Devizes for the purposes of the Society. He was of opinion that there was a great deficiency in the country of buildings of that kind. He thought there ought to be in every county some central place in which there should be a due representation in every respect, in regard to the arts, sciences, literature, and antiquities of the county. (Hear, hear, and applause.) If they went abroad—to France or Italy—they found a civilising power in the districts which was of great importance in the form of museums for the superior

education of the people, schools in which the people were well educated, but above all there was a museum or gallery in which antiquities were collected, where there was also a good library, and a room dedicated entirely to the productions of the artizans of the county in which the museum was situated. (Applause.) Nothing could be more instructive or interesting than to go through such museums, and they could not fail to be a great stimulant to the youth of the country as they inspected the work of their clever fellows in the district. (Hear, hear, and applause.)

THE CONVERSAZIONE

was held in the evening at half-past seven, at the Court Hall, when the President first called on the Rev. W. C. Plenderleath for his promised paper "On the White Horses of Wiltshire and its neighbourhood," and which proved to be a most able and exhaustive treatise, evidencing great diligence and research, as the members may see for themselves at a future page of the Magazine.

Dr. Thurnham, F.S.A., remarked that there was once a white horse near Devizes on the side of Roundway Down, which Mr. Plenderleath had not mentioned; he was told that it was formed about the year 1845; but now it was nearly, if not quite obliterated.

Mr. Cunnington, F.G.S., then made some remarks upon the geology of the neighbourhood of Westbury station, and exhibited specimens of ores, furnace products, and fossil remains from the Westbury Iron Works.

He alluded to the remarkable advantages afforded to Geology by the numerous sections opened by the railway cuttings throughout the country. Many interesting Geological phenomena were shown during the construction of the Wilts, Somerset, and Weymouth Railway, passing as it does over the chief deposits of the Oolitic strata, in a district singularly rich in fossil remains.

The late Mr. Reginald Mantell, son of the well known Dr. Gideon Mantell, was appointed resident engineer of the line, and his paper on the strata and organic remains of the Branch Railway, published in the Geological Journal, Vol. vi., 1850, affords evidence of his ability as a Geologist.

Mr. Mackniel, for many years known as an active local Geologist, and who has kindly undertaken the office of curator to our temporary museum, was also an observer on the spot. Professor Morris described the fossil remains: and to these three gentlemen alone is due the credit of preserving any notes of the Geology of the Wilts, Somerset, and Weymouth Railway.

Since Mr. Mantell's time, the geology of Westbury has attracted much attention from the important discovery of the valuable iron ore. Mr. Cunnington took this opportunity of correcting an error in the published section.[1] The iron of Westbury is *not* derived from the Lower Green Sand, which stratum is altogether wanting at Westbury; but from certain beds of pisolitic shale belonging to the Kimmeridge Clay. In support of these views, he stated that the shale from which the iron is smelted contains numerous layers of the *Ostrea deltoidea*, the characteristic fossil of the Kimmeridge Clay, and that to the south of the works the iron shale is covered with a bed of pure Kimmeridge Clay, with all the usual fossils of that stratum.

He further drew attention to the remarkable fact that these Kimmeridge Clay beds yield in the furnaces both zinc and titanium; the former in the metallic state, the latter as titanium cyanide. Unfortunately neither occurs in sufficient quantity to be of value—the zinc on the contrary is injurious to the furnaces. He mentioned that both these metals are absent from the Seend iron ore, which is Lower Green Sand. Mr. C. also suggested that the presence or absence of these metals might aid the geological chemist in determining the ancient rocks from which the Kimmeridge Clay and other secondary strata derived their origin.

Regarding the Oxford Clay of Trowbridge, Mr. Mantell mentions that the abundance of fossils in some of the beds is truly astonishing, especially the immense numbers of the shells and osselets of *Cephalopoda*.[2] "Often in exposing an area of clay or shale many yards in extent, the whole surface was studded with the glittering pearly shells of Ammonites of various species, and the numerous

[1] *Geol. Jour.*, vol. vi., 1850. [2] Ibid, p. 314.

phragmacones of Belemnoteuthis, intermingled with Belemnites."

Professor Morris, who supplied the list of organic remains found during the excavations,[1] named a fine species of Ammonite, which has hitherto been only found at Trowbridge, *Ammonites Reginaldi*, in honour of the discoverer. Specimens of this shell, and of other Oxford Clay and Kimmeridge Clay fossils from Mr. Cunnington's museum were exhibited.

The Rev. E. Peacock read a short paper on "Southwick Court, Cutteridge, and Brook House," which were to be visited on the following morning: and with this the proceedings of the day terminated.

SECOND DAY'S PROCEEDINGS. THURSDAY, AUG. 8TH.

On Thursday morning the Archæologists assembled in considerable numbers before the George Hotel, and proceeded in breaks and carriages of various descriptions, under the guidance of the Honorary Secretaries, on the first excursion. First they visited the old house at Cutteridge, of which they had heard some interesting particulars on the previous evening from the Rev. E. Peacock, but of which but few remains now exist; the old gardens, however, and its magnificent vines, whose antiquity even archæologists would find it difficult to define, attracted no little admiration. From Cutteridge they proceeded by Brook House to Westbury, and the road they traversed was, at all events, worthy of mention; for throughout a distance of something more than a quarter of a mile, they passed up the bed of a stream, between its two high banks, while the water reached above the axles of the carriages; and this not (as was at first supposed) from any overflow in consequence of the late heavy rains, but it was the regular ordinary condition of things, that the same narrow channel should serve both for river and for road, an economy of space, doubtless, highly to be commended in a working neighbourhood, though a little inconvenient perhaps under certain circumstances, for example in the case of a refractory or jibbing horse, for there was no possibility of retreating, when once in the bed of the stream; or in the case of meeting another conveyance, arriving

[1] Idem, p. 315.

from the opposite direction, for to pass or turn were equally impossible; or in the event of darkness, when such a passage would be attended with danger.

However, the Archæologists reached Westbury without mishap, and proceeded at once to the fine old church, where they were met by the Vicar, the Rev. H. H. Duke, who courteously conducted them through the building; and here they spent some time in a full examination of the many points of interest therein. Pressed for time, for they were already behind the hour named in the programme, they were obliged to decline the hospitable invitation of the Vicar, and to omit a visit to the iron works, which was proposed, and to hasten on to Bratton. Before, however, they reached that village, the more enthusiastic, which included the great bulk of the excursionists, left the carriages to find their way to Bratton, whilst they scrambled up the steep slopes of the down to the White Horse and the British earthwork known as Bratton Camp or Castle which crowns the commanding eminence overlooking the plain, and which has been celebrated since the time of Camden, as the supposed stronghold of the Danes, whither they fled after the battle of Ethandun, and where they were besieged by Alfred. Here their party was reinforced by additions from Rood Ashton, and here, standing on one of the *Long Barrows* which lies on the brow of the Down, a very interesting lecture (printed in a later page of this Magazine) was given by Dr. Thurnam, than whom no better exponent exists, of the *long* barrow in contradistinction to the *round;* of the earlier character of the former, as evinced by the long oval form of skull, the "dolico-cephalic" form, as it is technically styled; as also the details of the opening of this barrow, first by Sir Richard Hoare and Mr. Cunnington, and afterwards by himself.

The refreshing breeze which always blows on these heights, and the magnificent and very extensive view, combined to induce our archæologists to linger, but the whistle of the Secretary was sounded, and a pleasant walk down the hill conducted to Bratton Church, where their arrival had long been expected by those who had not scaled the Down. Here they were met by the Vicar, the Rev. R. Pyper, who very kindly pointed out the more remarkable features of

his extremely pretty church, whose position too, lying snugly under the downs in a hollow, could not fail to attract the admiration of strangers to this locality. From Bratton a short drive conducted to the grand old church at Edington, and here the venerable Vicar, the Rev. S. Littlewood, received the now largely-increased party, and called attention to the chief points of interest, and read many extracts of facts which he had collected in reference to the magnificent church of which he had so long been Incumbent; not omitting the history of its foundation, by William of Edington, nor the institution of the peculiar Order of Augustine Monks, called "Bonihomines" or "*Bonhommes*." The fine old tomb of Sir Edward Lewis, on the south side of the Chancel, attracted much attention, and also the famous monument to Sir Simon Taylor, by Chantrey; but above all the two headless figures standing in niches, in the centre of the Chancel walls, one on either side, and whose exquisitely graceful drapery is perhaps unrivalled, attracted special admiration.

And now the "Monks Well," as a spring of remarkably clear and cold water, flowing from a grotto, with a groined roof, is styled, was visited; the extensive well-walled gardens and the large fish-ponds, all so essential to monastic comfort, were inspected; and then, while the bells rang out a merry peal, *en route* was the word given, and the Archæologists proceeded to the pretty little town of Steeple *(Staple* or *Market)* Ashton; and where again they were met by the Incumbent, the Rev. A. O. Hartley, who had very considerately provided a short paper on the history of his Church, which he proceeded to read to the great satisfaction of his numerous visitors; who were also much struck with the many admirable features presented by this really handsome church. Indeed, it was the remark of more than one of the excursionists, that a visit to four such churches as those of Westbury, Bratton, Edington and Steeple Ashton was of itself a feast for the Ecclesiologist.

By no means, however, the only feast which our Archæologists enjoyed that day; for now they drove to Rood Ashton, quite prepared to do justice to the magnificent banquet to which the hospitable owner, R. P. Long, Esq., had invited them. As they passed through the park, near some of the lodges, they found lofty arches

of evergreens erected over the road, admirably constructed, and while the Society's motto "*multorum manibus grande levatur onus*" was blazoned, and the word "Welcome" was conspicuous on one side; on the opposite side, to be seen by the retiring guest on his departure, was the still more hospitable motto "Come again," which was certainly a most pleasing, if not almost too liberal a sentiment. By the time the company had assembled in the drawing room at Rood Ashton, it numbered fully 150 guests, but as provision had been made for two hundred, there was ample room in the large dining room for the entire party; and here they were most sumptuously entertained in a style befitting the traditions of Rood Ashton and the character of its owner, but on too costly a scale to be imitated elsewhere, and such as the Archæological Society neither expects nor desires.

After sundry loyal and complimentary toasts, and the gratitude of the Society had been expressed to the host and hostess by the President and Secretaries; the whole party returned to Trowbridge, and very soon assembled again in the Court Hall, when Canon Jackson read a most able and exhaustive paper on Rood Ashton, which will be found *in extenso* at a later page of this Magazine.

Dr. Thurnam was then called upon for a paper "On the remains of animals found in the barrows," which had been anticipated with great interest; but that gentleman, taking into consideration the lateness of the hour, and the fatigue of the party after a long day's excursion, begged that the paper might be taken "as read," and did not deliver it, to the great disappointment of many. Dr. Hume (President of the Lancashire and Cheshire Historical Society) then gave a short but very lucid address on Querns and other hand-mills of early ages, and the President declared the Conversazione over, and the company seperated.

THIRD DAY'S PROCEEDINGS, FRIDAY, AUG. 9th.

The Archæologists again started in numerous carriages from the George Hotel, under the guidance of the Honorary Secretaries, and in much the same order as on the previous day. They first drove to Westwood, where they were met by the Rector, the Rev. Prebendary

Jones, who conducted them over the little church, remarkable for its beautiful tower, and above all, for its painted windows of very early date, and in unusually good preservation. Next they visited the old Manor-house hard by, the property of Mr. Tugwell, and over this, above stairs and below, they were very kindly taken by the tenant, Mr. Doel; and a great treat, and to most of the archæologists an unexpected treat, it was to see so excellent a specimen of mediæval domestic architecture in so good a state of preservation, and so little injured by the hand of the restorer. Before leaving this charming old house, the President begged to propose a vote of thanks to the hospitable owner (Mr. Tugwell), who had most considerately sent up from Bath a cart laden with hampers intended for the refreshment of the whole party; but of which the early hour of arrival, caused by a change of route which had been decided on the previous evening, forbade them to make use: the vote of thanks was seconded by Prebendary Jones, and carried by acclamation, and the Secretary was requested to convey it to Mr. Tugwell.

Bradford-on-Avon was the next halting-place, and here indeed our excursionists remained for a long time, so many and so interesting to them were the objects selected for inspection. First, by kind permission of Mr. Moulton, they rambled over Kingston House, or the Duke's House, a well-known mansion of Jacobean architecture. Then to the fine old parish church, over which the Vicar, Rev. Prebendary Jones, conducted them, expatiating on the history of the building, and its restorations, and pointing out all that was most deserving of notice. Thence the Vicar conducted them to the now famous little Anglo-Saxon Chapel, lately opened out in great measure from the rubbish which surrounded it, and rescued, as we sincerely hope, from destruction; an unique specimen of very early architecture the "ecclesiola" of St. Lawrence, as William of Malmesbury calls it, and probably not much short of a thousand years old. This little building, rudely and quaintly constructed, has of late attracted the attention of antiquarians of all places, and thanks to the prolonged exertions of the Vicar of Bradford and the Rev. E. L. Barnwell of Melksham, it is hoped that contributions will be collected, enough to ensure its preservation. To this desirable end the Wiltshire

Archæological Society has lately contributed £25, so that it felt entitled to visit it not only without shame, but with the air of a patron, and we are glad to record that the visit not only called forth loud and earnest commendations from the visitors, but resulted in several substantial donations from some of those who completely filled and surrounded its tiny area.

From the Anglo-Saxon Chapel the party was now conducted by Mr. Saunders up a very steep hill to another ancient chapel of very diminutive dimensions, which Mr. Saunders has restored and of which he is the owner, known by the quaint sobriquet of St. Mary Tory. Here Mr. Saunders read a brief history of the building so far as it is known, and gave a full account of his own restorations: and then conducted the Archæologists through shady walks and amidst pleasant woods to one of his fields, where a tent was pitched and a pic-nic lunch prepared, to which all immediately prepared to do ample justice. At its conclusion, the President proposed a vote of thanks to the Rev. Prebendary Jones for his admirable guidance at Westwood, and at the parish church and Saxon Chapel at Bradford; and no less cordial a vote of thanks to Mr. Saunders for his interesting exposition of St. Mary Tory Chapel, as well as for the use of the field where they were then assembled.—On descending the hill, the Archæologists found themselves in Mr. Saunders' garden, and entering the house, the "Old Priory," they were hospitably entertained with tea and coffee and claret cup, for which gracious token of goodwill and kindness evinced toward the Society by Mr. and Mrs. Saunders, the President had again to express his cordial thanks.

Thence the order to march was given, and all speed was made to drive to South Wraxall: a short halt however was made at North Wraxall to examine the church, in accordance with a stereotyped rule of the Society that no church is ever to be passed without a visit: and then the company proceeded to the famous old Manor House, which has belonged to the Long family for some four hundred and thirty years. Here they found a large party assembled from Rood Ashton, including Mr. and Mrs. Long; and amongst them Canon Jackson, who at once led the Archæologists round and over the old mansion, one of the most admirable specimens of a gentleman's house of the

olden time; parts of which are believed to date from the 14th century, and its more modern portions to have been erected some 300 years ago. Assembled in the so-called drawing-room, Canon Jackson gave many interesting particulars and pointed out all the principal objects of notice; and then the President made his farewell address to the Society, and congratulated the members on the very successful meeting they were concluding; thanking Mr. Long for his kind permission to visit that noble old house; mentioning with honour the name of Mr. Mackniel, whose exertions had resulted in the excellent museum at Trowbridge; repeating the grateful thanks of the Society to Rev. Prebendary Jones, Mr. Saunders, and all who had assisted them in that day's excursion; and then recalling the fact that he had occupied the President's chair for the three years of his office, announcing his retirement in favour of his successor, but promising his best support to the Society to the very utmost of his power.

The Rev. A. C. Smith said that he could not permit Mr. Penruddocke to retire from the Presidency just yet: he was elected in the spring of 1870, and therefore his term of office had not yet expired; neither did the Society mean to lose him as its chief officer one single minute earlier than necessary. As this, however was the last time when the Society would be assembled this year, he begged leave to tender to Mr. Penruddocke, in the name of the Society, its most cordial thanks for the manner in which he had presided over it, the genial and kind and courteous rule he had exercised; and not only so, for his presidency was characterized not only by urbanity but by efficiency. The Society had been most fortunate in its presidents: it had been presided over by Mr. Poulett Scrope, Lord Herbert, Mr. Sotheron Estcourt, Lord Nelson, and Sir John Awdry, but by none had it been more diligently cared for than by Mr. Penruddocke. He had entered with all his heart into their proceedings, and he (their Secretary) asked the company assembled to accord him their most cordial thanks. This, it is needless to say, was done with the greatest heartiness; when Mr. Penruddocke thanked Mr. Smith and the Society generally, and said that assembled as they were in the old hall at Wraxall, they must drink the health

of the Longs, past and present. Mr. Long in acknowledging the compliment, proposed a vote of thanks to Canon Jackson, which was also carried by acclamation. Then for the last time the Secretary's whistle sounded, and while some of the carriages proceeded *viâ* Chalfield House, to Holt and Whaddon, in accordance with the programme, others returned direct to Trowbridge; and so was concluded one of the most successful meetings the Wiltshire Archæological and Natural History Society has ever held.

TEMPORARY MUSEUM.

Much credit is due to the Local Committee who so efficiently, and in so short a time organized and arranged the Temporary Museum in the Court Hall, Trowbridge. Mr. Macknicl was the Honorary Curator, and his zeal and assiduity were highly appreciated. Mr. and Dr. G. E. Tayler were indefatigable in their exertions.

Few persons would have thought it possible that so large a number of curious and valuable specimens could have been collected in so short a time. The Court Hall was well lighted, and with its scientific adornments looked remarkably handsome. Appropriately conspicuous in this exhibition was the collection of fossils and other interesting memorials of the poet Crabbe. His geological and archæological tastes are well known, particularly in Trowbridge, where he lived many years as Rector of the parish Church, where a monument has been erected to his memory. There are elderly people with tenacious memories still living in Trowbridge who can recollect very distinctly having seen the poet on his geological walks, armed with a hammer fastened to a very long stick, occasionally stopping at a heap of stones to possess himself of some new treasure. Crabbe was associated with William Smith, Richardson, and Townsend, early pioneers of the science of geology, in this neighbourhood. His collection, together with the memorable hammer, were kindly placed in the museum by Major Clark, the present owner. The specimens are unarranged, but many of them are of considerable interest, illustrating as they do the principal fossiliferous strata of this and the neighbouring counties. A good portrait of the poet, painted by his son, the Rev. John Crabbe,

together with the engraving which contains his likeness, with that of other literary characters, at Abbotsford, from the painting by Thomas Faed, R.A., were contributed by Mr. Henry Clark. It is well that the county contains these memorials of so eminent a man.

The contributions from the Westbury Iron Works Company were very interesting. They consisted principally of fossil remains and Roman antiquities found in digging the iron ore. Among the fossils were large bones of Pliosaurus and other Saurians of the Kimmeridge Clay period. Among the Roman remains were several specimens of samian ware, and other pottery, many coins, fibulæ, and small bronze implements, and a crucible containing some of the metal, apparently lead,[1] which had been formerly melted in it. There were also sundry masses of hard claystone, perforated at one end, which are conjectured to be the loom weights of Roman weavers.

The following, also, are some of the articles exhibited on this occasion :—

By Mr. and Miss TAYLER—
A collection of antiquities and coins.

By Mr. JOHN HAYWARD—
Old engravings of Trowbridge Castle.

By Miss KING and the Rev. S. MANN—
Copies of the Bible of different dates.

By Mr. MACKNIEL—
A case of large shells. Six cases of Wiltshire fossils, including a series of fine corals from Steeple Ashton, and specimens of Apiocrinus Parkinsoni. A case of Wiltshire and other tokens. A geological map of the neighbourhood. Clubs and other native weapons. Dresses and cloth brought from the South Seas in the first voyage of the ship *Duff*.

By J. BAYFIELD CLARK, Esq.—
A case of British birds.

By Mrs. EDWARDS, *Hilperton*—
A large and very fine collection of china. Several cases of shells. Corals and other specimens of Natural History. A musket, apparently petrified

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[1] Mr. Cunnington remarks that though there is ample evidence that the Romans lived on this very spot for a long time, it appears that they failed to discover the value of the rich iron ore beneath their feet, through which they dug their wells, and in which they buried their dead. This is the more remarkable as no farther off than Seend they had works for smelting iron. The Rev. W. H. Chamberlain has lately contributed to the Museum the remains of a fine Roman urn from Seend.

with sand and gravel, believed to have been dredged up near the wreck of *The Royal George*.

By Mr. A Mackay—

Coins and antiquities.

By Mr. Redman, *Whaddon*—

Fossil tusk of Mammoth, from the drift, and other specimens from the immediate district.

By Mr. Trollope—

Native weapons from New Zealand.

By the Rev. W. C. Plenderleath—

Ancient tokens and bronze coins. A leaden seal, and an iron cross dug up at the Manor House, Cherhill, supposed to be an archiepiscopal cross, probably of the fifteenth century.

By Dr. Franklin Parsons—

An almost complete series of the Corn brash fossils of this neighbourhood.

By Mr. Chettle—

The finial of the ancient cross which formerly stood in the Market Place, Trowbridge.

By Mr. Bannister—

A curious pistol found in the ruins of Devizes Castle about a century ago.

By Mr. George Webb—

A copy of Owen Jones' illuminated Psalter.

By Dr. Thurnam—

Remains of quadrupeds found in barrows in Wiltshire, viz: *Bos longifrons*, and large horns of *Cervus Elaphus*, also horn of *Cervus capreolus* found by Mr. Cunnington, in a barrow on Roundway Hill, and now in the possession of the Society,

By Professor Thomas F. Donaldson—

Matrices of nine mediæval seals.

By Mr. Henry E. Medlicott—

A document relating to the family of the Longs, dated 1645, and signed by Sir Walter Long, Bart. A drawing of a monument in Whaddon Church.

By W. P. Clark, Esq.—

A drawing of old Wyke House.

By Mr. Collyer—

Patterns of the old style of woollen cloth as formerly manufactured at Trowbridge. A collection of coins.

Our space will not allow us to mention more than a few out of the many interesting objects exhibited on this occasion. The thanks of the Society, and of all who attended the meeting, are due to those friends who so kindly contributed to the Temporary Museum.

Rood Ashton, &c.,

By the Rev. Canon J. E. Jackson, F.S.A.[1]

TO the Paper which I am now about to have the honour of reading to you, I prefix the brief title of "Rood Ashton," in acknowledgment (though very inadequate), on your part, of the cordial welcome and noble hospitality with which you have just been received at that house by Mr. and Mrs. Long. But the name implies a good deal more. It is but the text, which when opened out will present an outline of the history of those estates in the immediate neighbourhood of this town, of which Rood Ashton is the head quarters.

Rood Ashton *proper*, was in former times only a very small part of a larger manor called "The Manor of Ashton:" but before entering upon its history as the property of any human being whatsoever, I would say a few words as to its condition in times somewhat remotely antecedent to manorial arrangements, whether great or small. For we should be omitting one of the most curious features of the whole story were we to take no notice of the *geological* structure of the district. Archæologists and topographers taking pen in hand to write about any place, go to the Churches for memorials of deceased parishioners; to Record Offices, for odds and ends of ancient local history; to the Manor Houses, to look at old family pictures, and to ask questions about pedigrees, &c. Then why not search records that have been on the spot, imbedded in the ground, far older, and very often far better preserved, than family pictures and pedigrees: records that cannot be so easily copied or invented as a picture or a pedigree; and that are, in the most genuine sense of the word, *archæological?* So, if you please, a

[1] This Paper was read before the Wilts Archæological Society at the Annual Meeting at Trowbridge, August 8th, 1872.

little about the subterranean structure of the soil, the surface of which afterwards became the Manor of Ashton.

Everybody has read in their school-books about the coral-reefs in the ocean at the other side of the world, banks of rock extending hundreds of miles, whole islands by hundreds; all built by the little coral insect, who lays his foundation at the bottom of the sea, and goes on, generation after generation, piling up, tier upon tier, storey upon storey, till he comes to the surface of the water, when he stops; and, by so stopping, makes navigation in those parts very dangerous. It is perfectly marvellous what an immense addition has been made to the solid material of the globe, by so minute and apparently insignificant a creature. Strange as it may sound to those who are not acquainted with the geology of this district, there is one of these old coral-reefs within three miles of Trowbridge. It was a comparatively narrow strip of land commencing near Oxford. In Wiltshire it passes by Highworth, Wootton Bassett, Calne, Bromham, and Steeple Ashton—dissappears by and by, but reappears on the sea-shore at Weymouth. From the ragged nature of the stone, it is called the "Coral Rag." The corals or madrepores found in it, have, of course, lost all their original whiteness, and are now simply of the colour of the soil: but with that exception, the specimens are often perfectly beautiful, and when laid by the side of recent specimens from Indian seas, the old one (barring colour) is often as keen and fresh as the other. Steeple Ashton fossils are well-known in all geological museums. There are about fifty varieties of madrepores, marine shells, wood, reptiles, &c. The structure of these corals, examined under a magnifying glass, is beautifully engraved in one of the volumes of the Palæontological Society's publications, and nothing can be more wonderful.

With this slight reference to the original occupiers, or rather the very architects—the humble coral insects—we will take leave of geology, and make a very long skip indeed, to the time when the first animal of our own species occupied the surface of this coral reef. I pass over our old friends, the Ancient Britons and their successors the Romans, for they have not left, so far as I remember, any particular traces of themselves in this district. The first

historical notice, known to me, of any proprietor of the Manor of Ashton, is that it belonged to the Kings of Wessex. About A.D. 959 the King was Edgar, of wolf-destroying celebrity, but who did a great deal more than that for the settlement of England. He was a very liberal founder and promoter of Monastic Houses. In Wilts he enriched Wilton Abbey with large gifts of land, and he gave the Manors of Ashton and of Edington towards the endowment of the Nunnery of St. Mary, at Romsey, in Hants. Many of you may have seen the fine old Norman Church at Romsey, between Salisbury and Southampton. It was partly built by money from Ashton Manor, near Trowbridge. Unfortunately the Register Book, or Cartulary, and I fear, most of the Records, of Romsey Abbey are missing; but the Cartulary of Edington is in the British Museum, and it contains a copy of King Edgar's grant, dated A.D. 964. It is written in the strange bombastic Latin used in documents of that day: very difficult to make any sense of; and that sense, when made, sometimes very extraordinary. The particular document, giving Ashton to Romsey Abbey, concludes with this imprecation upon any one who should hereafter deprive the Abbey of the estate: "If any one shall venture rashly to infringe this my grant and refuse to make satisfaction, let him be dragged down with heavy chains round his neck among the fire-breathing legions of black devils. [Si quis hanc meam donationem infringere certaverit, sit gravibus per colla depressus catenis, inter flammivomas tetrorum dæmonum catervas."]

This gift included apparently the whole of what at that time was the *Manor* of Ashton. The limits mentioned were as follows:—

"*The Metes and Bounds of Ayston.*—This is the landmark to Ayston First on Semnit [*Semington*?]: from Semnit to Kefle [*Keevil*?], to Milbourne then to Frestham and then along to Werefore stone, to Cranmere; on to Metoldswill, and then to Clenanstitch: to Hassocks-more, and Holebrook: then to Lechmere, then to Rode-stone. From the stone to Bereburn, and then to the Biss. From Biss to Malm and then to Alburn: then to Frome-setinga-hazen: thence to Wuntfield and thence to Burgreed's-Rood. From the Rood to Marebrook and then to Lambrook and then on to Haram-mere [*Ammer-acre*?] to Leofed-hazen by Biss. From Biss to Abbenford and then to Hulpring-moor [*Hilperton-moor*?] and then to Hazel-durhill and so by Mark-brook to Semnit."

Most of these names are lost, but enough remains to shew that the general outline was probably this:—from Semington round by Keevil; Edington to the river Biss; then by Merebrook, Southwick (in North Bradley); then across to Trowbridge, Hilperton Moor, and back to Semington.

According to the next notice, which is Domesday Book A.D. 1084, the Abbess of Romsey was Lady of the whole manor, and held about one-fourth in her own hands; and that part, I think, was on the side towards Edington. The rest, in various sub-divisions, belonged to different owners, who paid merely a certain head-rent to the Lady of the Manor.

Ashton Manor remained Abbey property for 578 years, until the Dissolution of Religious Houses, when it fell, of course, into the hands of the Crown. Sir John Thynne, the builder of Longleat, was the Chief-Officer under the Crown in charge of it. From a vol. of the accounts, now at Longleat, it appears that the manorial rights extended not only over the several Ashtons, of which I shall have to speak, but over the tythings of Southwick, Semington, Littleton, Lowmead in Trowbridge, and certain parts of Bulkington, Tilsit, and Bratton.

In 1538, King Henry VIII. granted the whole Manor, and that of Edington, to Sir Thomas Seymour, Lord Sudeley, brother of the Protector Somerset. Sir Thomas only held them 12 years, until his execution in 1550.

Some years ago, Mr. J. Moore, of West Coker, was so kind as to let me look at a volume of Court Rolls of the Manor while it was Sir Thomas Seymour's. The volume was rather imperfect, but very legible. It contained minute particulars of the tenants, names of fields, a curious long lease, in Latin, of the Manor of Edington, by Elizabeth Ryprose, Abbess of Romsey, to Meyrick Appriee. At Longleat also there are two or three vols. of Court Rolls of this period.

A few years ago I was also fortunate enough to find at Rood Ashton itself, a Survey of the year 1604, which supplied a good deal of information about the great original Manor of Ashton. In this volume there are certain agreements and holdings described, and several tenants have written their names to those agreements—

i.e., all who could write their names at Rood Ashton in the year 1604. I am sorry to say that out of fifty-three, there were only fifteen who were masters of that useful accomplishment. The rest made their marks: and the whole presents an extraordinary display of pen and ink ingenuity. One is like those strange characters you see on a Chinese or Japanese tea-chest, in a grocer's window: another like a W turned topsy-turvy; and then comes a pair of scissors, out of joint. No. 4 is like a gridiron; the next like a black spider with ever so many legs; another must have belonged to a member of an archery club, as he signs with a sort of bow and arrow; and so on.

This record is dated 1604: but the Manor remained Crown property till 1610, for in that year it was one of the many estates set apart for the maintenance of Prince Henry, son of King James I. The sum total of those estates was £9000 a year; but the *Crown* rents of the Manor of Ashton, by itself, merely amounted to about £85 a year.

This survey of 1604 also confirms the evidence of the other documents to which I have alluded—viz., that the Manor of Ashton included the tythings of Steeple Ashton, West Ashton, Southwick, Semington, Littleton, Lowmead, and lands at Bratton, Bulkington, and Tilsit; also Edington, but that manor no longer belonged to the Crown as part of Romsey Abbey. Before the Dissolution it had been, by a certain arrangement, conceded by the Abbess of Romsey to William of Edington, Bishop of Winchester, to endow a Religious House at Edington; of which, you have seen the noble old church in this day's excursion. The same survey (of 1604) also gives the names of the noblemen and others holding under the Manor of Ashton, such as the Lords Mountjoy for Southwick, the Brunkers for Semington, Trenchards, Westley, Long, Stillman, Whitaker, Horton, Bayley, and other old local names.

The Crown appears as owner in 1610, but the property was passing out of its hands: for many years before, about 1561, 4 Elizabeth, being in want (as even Crowns sometimes are) of money, it had mortgaged its Manor of Ashton to the Mayor and Corporation of the City of London. In 1573, the Mayor and Corporation of London transferred the mortgage of the manor to Walter Long,

Esq., of Whaddon. The precise year in which the mortgage was *not* paid off, and the manor rested with the Longs, I cannot at this moment name, but it must have been after 1610.

The "Manor of Ashton" (as already intimated) included several Ashtons. There are no less than seven mentioned in the survey of 1604, and in the other MS. authorities I referred to.

1. Steeple Ashton.
2. West, and Little West Ashton.
3. Chapel, or Rood Ashton.
4. Saucere's Ashton.
5. Middle Ashton.
6. Hurdcote's Ashton.
7. Sulden, Silden, or East Ashton.

1. Steeple Ashton.—The present parish begins, as is very well known, at Polebarn [properly, I believe, Paul's Barn] Gate; and from that point, all, for several miles, was in ancient times, part of the Great Forest of Selwood. That Forest lay in two counties, Somerset and Wilts. It began down near Bruton; and the Wiltshire part was called "The Wiltshire Walk." The original bounds were afterwards reduced. About the year 1650, there were some law proceedings going on about the ancient limits and rights, and all the "oldest inhabitants" of the day were fetched in, to say what they knew about the matter. For this story I am again indebted to a Longleat paper.

In this document, A.D. 1660, William Bishop says, that twenty-three years before [which would be 1627], deer used to feed in Keevil Woods and Littleton Woods. There was a keeper's lodge on Hag's Hill; and his father had often told him that a herd of bucks did usually live on the low grounds joining.

"Willum" Stylman also (speaking, 1650) declared that "within these six years, Mr. Long did cut 600 oaks in Slow-grove and Ammer-acre; and had inclosed, contrary to the Forest Laws." Of course, nothing could possibly be more irregular, if Willum Stylman knew what he was talking about: but no doubt some learned gentleman, for the accused, very soon convinced the Court, that poor Willum Stylman's memory was very bad, and in a word that "Mr.

Long" had done nothing in the world but what he had a perfect right to do, and that if he had inclosed, he had paid for so doing—perhaps a good deal more than he liked.

The bounds of the Forest are most carefully described by all the various witnesses, one living here another there: all pretending to know to a yard where the line ran. We will not follow them in detail; but it is sufficient to say, that the Forest came up to Trowbridge town's end and away to Semington; and, in point of fact, followed the existing limits of what is called the Hundred of Whorwellsdown. No less than six of the oldest inhabitants declared that all the country from Hag's Hill, near Semington, as far as Frome, was quite open, within memory, and no part thereof was impaled, ditched or otherwise enclosed.

Such, on the face of a district so well known to us, is the difference that, 200 years, or so, have made. But now, if the good folks of Trowbridge happen to find it rather close, in Back Lane, or the Conigre, or Hill Street, or Yerbury Street, or Court Lane, or the Ranks, or Brick Plat, or Roundstone Street, or Duke Street, and so on, when they want a mouthfull of fresh air and a dry walk for themselves, their wives and children, they can get it across Selwood Forest. There are none of King Edgar's wolves; and no deer with large horns, to frighten poor little Dicky in his perambulator. Quite the contrary: a nice dry broad road, a mile and a quarter or so from end to end: pretty pheasants strutting about: nothing to pay for the convenience; but free enjoyment, so long as they will only "*use, but not abuse*" it, on the private grounds of the Squire of Rood Ashton.

It is, I believe, now quite understood, that the *name* of *Steeple* Ashton has nothing in the world to do with the steeple of the church. It is simply a corruption of the word Staple—*i.e.*, Market. The privilege of holding a market there was granted by Royal Charter to the Abbess of Romsey in 1387; and in old deeds that I have seen it is called "Market Ashton." Leland the antiquary came that way in A.D. 1540, and he speaks of it thus: "'Tis a praty little *market town*. It hath praty buildings. It standeth much by cloathiers. There are still some ancient timber-houses: some of it

was burned: before which time it was a market-town; but out of the ashes of this, sprang up a market at Lavington, which flourisheth still;"—*i.e.*, Market Lavington tripped up the heels of poor Market Ashton.

In the middle of the street at Steeple Ashton, on a large base of several steps, is a round column surmounted by a huge ball, and other beautifications. They call it,—out of courtesy, I suppose—a Cross. The resemblance is not particularly striking; but such as the interesting object is, it is probably the representation of the original Market Cross.

In those days (1640 or thereabouts) there were in Steeple Ashton several names of families still among us—as Angell, Goldney, Awdry, Locke, and Greenhill. Of the last-mentioned family there was a Henry Greenhill, to whom there is a monument in Stockton Church, beyond Warminster. He is called, in the inscription, Esquire, and his wife was a Champneys, of Orchardley, near Frome. He was born in 1646; passed the greater part of his life at sea, burning and destroying French ships; became Governor of the Gold Coast in Africa; afterwards a Chief Commissioner of the Navy; and laid the foundation of, and finished the building of, the Dockyards at Plymouth. Other eminent natives there very likely were: but I do not happen to have met with their names in history, except one whose case I must mention to you, as it is an example which just at this particular time it might be useful for us to follow; but only to a certain extent, because he was an eminent sheep-stealer. I found the story among old John Aubrey the Wiltshire antiquary's papers, in a cupboard at Oxford, many years ago, in a letter, written from London, by one John Hoskins, serjeant-at-law, to Aubrey, which runs thus:—

"London, Dec. 14, 1661.

"Mr. Aubrey—I have bin told that in the time of Baron Tanfield, about 1620 (40 years before), there was indicted one John Brewer of Stiple Ashton for sheepstealing, who had a trick to keep the mutton sweet 7 weeks without salt; but would not tell his way to the Judge, no not at his trial. He was acquitted. Now will you oblige me and some other of your servants, if you can enquire how this was done.

Your servant,

John Hoskyns."

Now, under the particular circumstances of the present time, when mutton and other meats have risen to such a price as to frighten all the housekeepers of Trowbridge and elsewhere: and when, even those who can afford to buy have been at their wit's end how to *keep* it during the late sultry weather, nothing can be more useful than to know what the learned Serjeant Hoskins—a lawyer too—particularly desired to know, and wrote down to this cunning county of Wiltshire to ascertain, "How to keep mutton sweet for seven weeks without salt." So Aubrey immediately wrote to Mr. Robert Beach, of Steeple Ashton, who replies:—

"The manner was this. Near Claverton, by Bath, in the stone quarries, are some caves; and this Brewer the sheepstealer kept his stolen sheep in the caves, *alive!* This was the *secret.*"

You are not asked to follow Brewer's example in stealing sheep; but considering the scarcity of it, it might perhaps be not amiss if we could contrive to *do without it* for a little while, and keep our mutton sweet seven weeks without salt, by *letting the sheep live.*

The church of Steeple Ashton need not be described, as you have examined it in your excursion. The body of it was built about 1500; the north aisle by a Mr. Robert Long, in 1501; the south aisle by Walter Lucas and his wife Maud. It had once a spire, which Stukeley says was cased with lead. It was much injured by lightning in July, 1670, and hardly had been repaired when it was again shattered by a similar accident in October of the same year. The storm killed the workmen upon it, "*in nictu oculi,*" says Aubrey, ["in the twinkling of an eye"].

At the Bell Inn, Seend, there used to be a drawing of the church with the spire on it: but it is doubtful whether it was a *bonâ fide* representation: perhaps taken only from imagination or description.

There is also a curious account in the Archæologia, of the effects of lightning at this unlucky Steeple Ashton, in 1772. Two clergymen, the Revs. Mr. Wainhouse (curate of the parish), and Mr. Pitcairn, of Trowbridge, were in the parlour of Steeple Ashton vicarage-house, "when there came a loud clap of thunder and all of a sudden they saw a ball of fire between them, about the size [as they describe it] of a 6*d.* loaf, surrounded by a dark smoke. It

burst, with an exceeding loud noise, like the firing of several cannons at once. They were both stunned, one had his watch-glass shivered, part of his money melted in his pocket, and his shoe split into several pieces."

The west end of the south aisle is called "Beach's Chapel," from a family at West Ashton about 1610, but as that part of the church is much older, it is doubtful by what right they gave their name to it.

An old font in the vicarage garden, of handsome work, is commonly supposed to have come out of Steeple Ashton Church, but this was not so. It was bought by Mr. Hey, vicar, some years ago, from a stonemason at Seend, who had been making a new one for Bromham Church, and this came from Bromham.[1]

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[1] The present Font was placed by Rev. Richard Crawley (late Vicar) and his sisters to the memory of their mother. On it is this inscription:—"✠ Pietatis ergo in Matrem carissimam MARIAM CRAWLEY quæ viduitatis annis in hoc pago placidè et sanctè peractis, Bathoniæ in fide Christi obiit xvi° die Martii A°. Dom: MDCCCxli° ætatis suæ lxxvi° et in cemeterio huic ecclesiæ adjacente sepulta est, hoc Baptismi lavacrum sacris usibus dicant filius filiæque superstites."

The chancel was rebuilt in 1853. The church windows were once filled with stained glass, of which many fragments remain. In one near the south entrance is the device of a boar's head often repeated. In others are figures of saints, evangelists, and angels, the Passion, &c. On the north side, on a stone corbel, is a merchant's mark. The chancel east window was lately erected by R. P. Long, Esq., to the memory of his father, Walter Long, Esq. On the walls are tablets to some of the Long family: on one, a coat of arms, Long impaling Wrey. On the floor was, a few years ago, a little brass, with the inscription: "Virgo quid loquitur, quæris? Lege: 'Tu morieris.' Maria Carpenter." This was probably the daughter of Henry Carpenter, Vicar, 1636. Robert Beach, 1672, and Mrs. Grace Beach, 1685. Arms, vairé G. & A. on a canton a buck's head cabossed, Beach: impaling within a bordure a fleur de lys, Flower. Samuel Martyn of East Town, 1687. Arms, A. a double-headed eagle displayed gules. John, his son, 1714.

In the north chancel, east end, is a large monument to Thomas Bennett, Esq., of Steeple Ashton and Combhay, 1728. Arms, Bennett impaling Yerbury.

In the south aisle, Mrs. Ann Cary, 1772. Arms, Cary impaling Smith of Combhay. John Smith of Combhay, 1775, and his wife Ann Tracy. Arms, Smith quartering Bennett, impaling Tracy.

In the arch on the north side: Thomas Beach (son of Thomas Beach of West Ashton and Wolley); formerly Chief Justice in Jamaica, d. 1774. Arms, quarterly Beach and Turner; on an escutcheon of pretence, Hynes quartering Guthrie. At the west end, Lt. Col. Thomas de la Beche, 1801. John Hynes de la Beche, 1803. Thomas Beach, West Ashton, 1729. Miss Grace his

In one of the houses at Steeple Ashton, occupied by Mr. Deacon, there are some pieces of stained glass heraldry in the window, and among them the arms of Cecil, Marquis of Exeter. I used to be much puzzled to know what business that coat had at Steeple Ashton, where the Cecils never had property; but my late lamented friend Mr. Wilton (who knew Steeple Ashton traditions well) told me that many years ago the house had once been occupied by a Mr. Hicks, a *curioso*, and collector of such things, and that this was the way it came there. Little matters of that kind often mislead the inquisitive archæologist, and give a deal of trouble for nothing.

Among the Vicars of Steeple Ashton there have been two or three of whom something remains beyond the mere name. George Webbe (of Wiltshire family), Vicar in 1605, was appointed to the Bishoprick of Limerick, and during some riots was imprisoned by the rebels in

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daughter, 1732. Mrs. Elizabeth, widow of George Turner of Linfield, Co. Surrey, 172—. Arms, Vairé A. & G. three annulets counterchanged, Amerville. On a small obelisk against the south wall, John Sharp, 1814. He was great nephew of Rev. Samuel Hey, formerly Vicar. A brass plate, with a merchant's mark, towards the east end, to Peter Crooke, who left 40*s.* a year to the poor for ever, is described in "Kite's Wilts Brasses," p. 89.

In the Nave, Thomas Darcy of Grangebeg, Co. Westmeath, 1819. Arms Crusilly of cross crosslets, three cinquefoils or. Motto, "*Un dieu, un foy*," Below, William James Sugden of Bath, 1810. Mr. Darcy married a Miss Long (not of the Rood Ashton family) and took the name of Sugden under a will.

In the north aisle, John Hicks, 1782. John Lewis Hicks, his son, 1788. The elder Mr. Hicks was a lawyer: he married the daughter of Rev. John Lewis, Rector of Great Chalfield, and left a small charity. The son was a captain, and collector of curiosities.

At the east end was once a brass to John Stylman, of Steeple Ashton, and his wife, Christian Philpot of Erle Stoke, the arms of the wife being a cross between four swords erect. The Stylman family were of old date in this parish. Their Pedigree is in the "Visitation of 1565." [Harl. MS., 5184., p. 137.] Markes is also another ancient family here; see the same Visitation.

Among the monuments in the church-yard is, on the north side, one to Ellen Jones, daughter of Richard Long of Rood Ashton, Esq., and wife of Daniel Jones, of Bradford. She died 1794. Also Mrs. Warriner of Conock, 1815, æt 94, daughter of Richard Long, Esq. Another records Dorothy, third daughter of Thomas Browne, Esq., of Camfield Place near Hatfield, Herts. [He was Garter King at Arms.] Her sister Martha was wife of Dr. Richard Hey, brother of Samuel Hey, Vicar here.

Limerick Castle. He was the author of a book called "The Practice of Quietness," and some others.[1] Gabriel Sangar, who died in 1678, also appears in the biographies as an author. He refused to conform in 1662, and was ejected (See Calamy). Peter Adams, his successor, was also a writer. The name of his book I have not recovered at this moment, but a copy of it used to lie in the vestry of Steeple Ashton Church. It had a ring and a chain to fasten it to a desk, and was given by his widow, to be read by any of the congregation, whilst they were waiting for the coming of the minister.[2] There are some curious documents in some of the old parish books, among them an inventory of goods belonging to the church before the Reformation.[3]

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[1] George Webbe, son of the Rev. Hugh Webbe, Rector of Bromham, was born there in 1581. He entered first at University College, Oxford, in 1598, but became in the same year a scholar of Corpus Christi College. When 24 years old he was made Vicar of Steeple Ashton, being inducted, 14th May, 1605. In 1621 he was inducted to the Rectory of St. Peter and St. Paul, in Bath, where he kept a school. In 1624 he was made D.D., and Chaplain to Charles I., and Bishop of Limerick 1634 to his death 1641. There is an engraving of him by Slater, prefixed to his "Practice of Quietness," with arms, the See of Limerick impaling, for Webbe, a cross between four falcons. He translated some plays of Terence. Several of his family were buried in Bromham church-yard, and by their merchant's mark were evidently clothiers. A Hugh Webb, gentleman, occupied Bowood, temp. Charles I. In Steeple Ashton Register are five entries of the baptism of the Bishop's children. Theophilus, 1607; Dorcas, 1608; Abraham, 1610; Hugh, 1612; George, 1614—5.

[2] Laurence Eliot, appointed 1771, was an active member of the "Feathers Tavern Association." Samuel Hey, 1787 to 1828, was third son of Richard Hey, of Pudsey, near Leeds. His eldest brother was John Hey, Norrisian Professor of Divinity at Cambridge, and the next elder brother was William Hey, one of the most eminent surgeons of his day in Yorkshire. [See Whitaker's Loidis and Elmete, p. 84, for his portrait.] A younger brother was Dr. Richard Hey, Fellow of Sidney, Cambridge. Samuel, the Vicar, had been Fellow and Tutor of Magdalene College. He was buried in the church-yard. The pedigree of Hey is given in "Thoresby's Ducatus Leodiensis," p. 4. The "Vicar's Library" was left by Mr. Hey. There are some papers and tracts purchased by him from Mr. Richard Wainhouse, once Vicar of Keevil, and some pocket books of parochial notes by one Baggs, clerk to Mr. Hicks sen. [a lawyer], and also parish clerk.

[3] One of these is an Inventory of Church goods, 34, Henry VIII. William Stylman and Robert White, Churchwardens. Among the articles were:—

"A chalice parcel gilt, xviii oz.

The Rectory was impropriate to Romsey Abbey, and the Abbess presented to the Vicarage. After the Dissolution the Crown was Patron till about 1662: then the Martyn family. In 1698 the Rev. Drue Drury, of Riddlesworth Hall, in Norfolk, gave the impropriate parsonage, then worth £120 a year, to Magdalene College, Cambridge, for the maintenance of a Fellowship for ever to be called "The Norfolk Travelling Fellowship." He also gave the Vicarage to the same college.[1]

A pair of vestments of blue velvet, cope and amice to the same.
Of blue lattyn of Bridggis [Bruges] 1 cope.
Of red velvet 1 pair of vestments.
Of green velvet do.
Of white damaske do.
Of black silk one whole suit of vestments with alb and amice.
Of purple silk 1 cope.
Of green silk 1 do.
3 corporas cases of silke and one of them embroidered with gold.
Of green silk a sepulchre cloth.
Of sad silk, one altar cloth.
For corporases, six kerchiefs."

An account book contains, among other payments:—

"1559. P^{d}. for pulling down of the Roode iiij^{d}.
,, P^{d}. for pulling down of the Altar viij^{d}.
,, Rec^{d}. for smoke farthings vij^{s}. iij^{d}.
,, Roger Martyn hath a holy-water pot and a brasen staff.
1587. By consent of the Parish, W^{m}. White the clarke shall keepe the clock, bells, make clean the church, sweep the leads and ring the bell for *Courfue* and Day, and shall have yearlie for his labour xiij^{s}. iiij^{d}."

[1] In the Edington Chartulary in the British Museum, No. 38, is a copy of the Endowment of the Vicarage of Steeple Ashton. It is in Latin, and I took from it some years ago the following notes:—

"1 Oct., 1252. To all, &c. William of York, Bp. of Sarum, greeting. Whereas our Lord the Pope granted Ashton Church [*i.e.*, the Rectory] to Constance Abbess, and the convent of Romsey to be applied to their own uses, saving a competent vicarage: we with her consent, &c. have ordained as follows. Maintaining the old Vicar's portion which was, Oblations and confessions, tithe of wool and lambs, cheese, milk, pigs [as well out of the court of the Abbess, as of the whole Parish], tithe of mill, pannage of pigs, Cheresett in all tithes of domain of the Parson and tenants, apples and all small tithes in the Abbess's Court and in all the parish, 'esculentum et poculentum' supplied according to custom to the Vicar at Christmas and Easter by the convent: there shall also accrue to Vicar Godwyn and all his successors, All the tithe with "villan"

2. West Ashton is the next division of the parish. It includes Stourton, and the two Paxcrofts. Mr. Long's survey of 1604 speaks of a cottage at West Ashton, "next to the *King's Hall.*" I don't know what this means, unless that whilst the manor belonged to the Crown, the steward might have occupied some house so called.

The Beach family of this place has been already mentioned. They lived here; and a Mr. Thomas Beach was steward under the Crown whilst the manor belonged to Prince Henry, son of James I.; he was also steward of the Longleat estates. They removed to Woolley, near Bradford, and their house at West Ashton was taken down. In the grounds of it was a labyrinth or "*miz-maze,*" [such as you may see at Hampton Court] a common addition to pleasure-grounds of former times. The last male heir, Lt. Col. Thomas Beach, changed the name of his family to Delabeche. Their estate here was purchased by R. Godolphin Long, Esq.

There used to be in Covent Garden, in London, a celebrated tavern, called "King's Coffee-House." It was first established by Thomas King, son of Harman King, of West Ashton, about 1720.

Stourton Hill, close by the Park, takes its name from the Lords Stourton, formerly owners of Stourhead. They had a good deal of land at West Ashton, Poulshot, Marston, Potterne, and Worton. In 1543, William Lord Stourton sold these lands, together with the Manor of Hilperton and Whaddon, and the patronage of the Rectory of Hilperton, to Mr. Thomas Long, of Trowbridge.

There are two Paxcrofts (the old name was Packle's-croft). One adjoining Hilperton was formerly part of Romsey Abbey property.

nay, in Sulde Ashton, *Ashton Dunstanville*,[a] and West Ashton. Also to have 24 pigs in the woods of the Abbess, and certain other rights of feeding for 6 cows &c. Also a court and house with shrubbery belonging to the Rectory, the old vicar's house to go the Abbess. except 2 acres of old vicarage. The Vicar, having more than 20s. burden to bear, to receive 12s. a year from Bradley Church, 5s. from Trowbridge Church and 4s. from the Abbess's demesne at Sylshyde. All the rest of the Rectory to the Abbess. But the Vicar shall have Two chaplains continually with him, to serve the church at his own expense: and the vicar shall bear one third part of the Episcopal and other charges, and the Abbess the rest. Sealed and dated. Kal. Oct., 1252."

a. This is now Ashton Gifford, in the Hundred of Heytesbury, usually considered to have belonged to quite different baronial lords: but its name Ashton, and the Abbess's property in tithes seem to indicate that there had been some connection with the manor of Ashton belonging to the Abbess of Romsey.

It afterwards belonged to the Halls, of Bradford, and, like the rest of that estate passed to the Dukes of Kingston, from whom to Earl Manvers. The other, Paxcroft Overcourt, formerly belonged to Blount, Lord Mountjoy, who, in 1599, sold it to Mr. Long, of Whaddon.[1]

3. Rood Ashton, or, as it was sometimes called in old documents, Chapel Ashton.

As to the meaning of the name, the one of these helps to explain the other. Some ancient owner attached to his house here a chapel for his own household: which would also be useful for the villagers living at West Ashton, who, at that time, were a long way from their parish church. Of such chapel there are no traces now to be met with, but tradition points out a site in a part of Mr. Long's pleasure-ground behind the house, where some masonry and bones were found many years ago.

Rood (so pronounced, I believe, in Saxon, though written Rode) is an old word signifying "Image." It is sometimes used for the *cross* only; but it more properly means a "Crucifix," *i.e.*, a cross with the image of Our Saviour upon it; including also, when complete, the figures of Mary and St. John at foot; in allusion to the text (John xix. 26) where our Lord, from the cross, beheld "His Mother and the disciple whom he loved." The difference between the "Cross" and the "Rood" was well known. Robert de Brunne,

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[1] West Ashton, containing about 2000 acres, was made a separate district in 1846. The Church of St. John was consecrated in October of that year by Dr. E. Denison, Bishop of Sarum.

Scarcely had this church been finished when it was destined to receive, on the very first monument placed against its walls, the name of the founder's eldest son and heir, and his youthful wife.

"Walter Long, eldest son of Walter Long Esq., of Rood Ashton, died at Rome 17 April 1847 in his 24th year.

"Also Harriet Averina Brunetta, daughter and heir of John Owen Herbert Esq. of Dolevorgan, Montgomeryshire: died Jan. 28th, 1847, in her 24th year. [She died at Seagry House, near Chippenham.] They were lovely and pleasant in their lives, and in their death they were not divided."

On the chancel south wall, upon a black marble tablet, is a brass inlaid with canopy work, to the memory of "Mary Ann Long, wife of Walter Long, Esq. M.P. dau. of the Rt. Hon. Archibald Colquhoun Lord Registrar of Scotland. Died at Paris March 16 1856."

one of the Chroniclers, says "the croice and the rood." The cross itself is often called the "Rode-beam" or "Rood-tree:" *i.e.*, the wooden shaft sustaining the image. When *inside* a church, the rood was placed over the gallery or screen dividing the chancel from the nave; which then came to be called the "Rood-loft." When *outside* a church it was generally carved in stone, placed in a niche, against the wall, or over the porch; or on a separate shaft, either in the church-yard, or at the entrance, or middle of a village. The relative meanings of *Chapel* and *Rood* are well distinguished by the Poet Spenser in the "Fairy Queen."

> "And nigh thereto a little *Chapel* stood
> Which being all with ivy overspread,
> Deck't all the roofe, and shadowing the *roode*,
> Seem'd like a grove fair branched over head."

As the name of a place, or church, Rood sometimes occurs. At Edinburgh, we have Holy Rood Chapel, (equivalent to the Santa Croce of Florence, the Sainte-Croix, of France.) In old times, in order to promote Christianity and civilization, the setting up of a rood or crucifix by the way-side was a reminder to all passers-by. Of this there are hundreds of examples abroad. The complete group is there called "a Calvary." The Department of Finisterre, in Britanny, is very rich in them, and they sometimes form very large and beautiful specimens of sacred architecture.

Possibly the village called Rowde, near Devizes, and that of Road, near Beckington, may have some similar origin for their names, but I do not say that it was so.

I believe that Rood Ashton was never any part of the demesne lands of Romsey Abbey, but was simply held under it by various owners, paying the Abbess a chief rent and doing suit of court.

The first owner whose name has been met with was John Bisset, who died, A.D. 1306 (35 Edw. I.). His ancestor, Manasseh Bisset, had in A.D. 1154 founded the Nunnery of Maiden Bradley: so that it is possible that this family may have been possessors of Rood Ashton for a considerable time. In 1389 (13 Rich. II), John Milbourne and John Blanchard appear (I. p. M.) as owners of two virgates of land and *a House* at Chapel Ashton. They were perhaps

only holding for some one else: for two years afterwards, 1391, John Crouchton dies owner.

The manor of Ashton Giffard (then called Ashton Dunstanville), also belonged to this person: and as in 1396 he was succeeded in that estate by Nicholas Temys, it is reasonable to suppose that Chapel or Rood Ashton passed at the same time to the family of Temys, for that is the next name we come to. In the pedigree of Temys, in the Wilts Visitation dated 1565, the first name is John Temys, *of Rood Ashton*, c. 1454. Of this family was Joan Temys, the last Abbess of Lacock, and it was, I believe, her brother who sold Rood Ashton, about 1530. The purchaser was Sir William Button, of Alton and of Tockenham. His family sold it about 1600, to Edward Long, of Monkton, in Broughton Gifford.

That there was a house on the site in 1389 has been mentioned. In the year 1814 some sound beams were taken out with a very old date upon them. It has always been said that the date was 1178; but I never saw them. The present house is an old one with new front, &c., added in 1835.

There is a very large field between Rood Ashton and Steeple Ashton, called Abury. It was formerly a custom ground, into which certain farmers and tenants had right of putting in cattle for certain months. At the sound of this name, no wonder that Wiltshire Archæologists prick up their ears, remembering the great puzzle already on their hands, near Marlborough. But in the "Abury" near Rood Ashton there is no graffe, and no mighty stones. So why it is so called one can hardly say. My own impression is, that this ground once belonged to the *Priory* of Abury, near Marlborough, because, when that priory was dissolved, its lands, wherever situate, were bought by Sir William Sherrington, of Lacock; and it is curious enough, not only that in Mr. Long's survey of 1604, I find the name of Sir William Sherrington as an owner of lands near Rood Ashton; but that the size of his estate was as nearly as possible the size of the large ground called Abury. Further, in the survey, Sir William is described as having bought his land near Rood Ashton from the Crown in 1547, which was just at the time of the Dissolution. The ground therefore may perhaps take its

name from having once belonged to the Priory of Abury, near Marlborough.

4. The next Ashton named in old documents, but now wholly unknown, was SAUCERE'S ASHTON. We find the names of Henry le Saucere, Sybil Saucere and others. This is simply a corruption of the name Salcey, from the old Latin "De Salceto." Salcetum is Latin for a willow-bed. There do happen to be, below, and winding round the "Abury" just named, some celebrated willow-beds, well known and often resorted to, about the month of October, by Mr. Long's friends, for certain fowl that abound there. This may have been the *salcetum* which gave the name to Saucere's Ashton, but the family name of Salcey seems preferable. A Robert de Salceto, of Bishop's Lavington, occurs in 1333: and a Peter de Salceto is, with a Rector of Trowbridge, witness to one of the charters of Lacock Abbey.

5, 6. MIDDLE ASHTON, and HURDCOTE'S ASHTON, are likewise names found in old documents relating to the Manor of Ashton. In 1255 William Blowet held two carucates of land in Hurdescote's Ashton, of the Abbess of Romsey. But nothing is known about them now as any part of Steeple Ashton parish.

7. The last is SULDEN, SILDEN, or EAST ASHTON. About this there is no doubt. It is now called East-town. Why called Sulden, I don't know. *Sul,* in Saxon, is a plough, and *Dene* is a valley; but it is more likely to have been some old family name. There was a family of Martyn, of East-town, whose pedigree is preserved from 1596. It supplied Steeple Ashton with a Vicar, and Chippenham, to which I believe it migrated, with two or three bailiffs or mayors.

These are all the Ashtons: but the original manor included Henton, Littleton, and Semington. At Henton is a place called Cold-harbour, of which there are no less than 150 in different parts of England. The meaning of the name has been much disputed. Harbour is probably only a corruption of the Saxon Herr-burg, a station. If cold may be supposed to mean cool; then the whole, "cool-retreat," may perhaps have been merely a favourite name in former days, for for villas and country houses, something like the "Mount Pleasant" and "Belle View" of our own day.

Of Semington all I have now to mention is, that in the wall of the porch of the church is an old stone with an inscription much obliterated. It is in old French, and very difficult to decypher, but after careful examination, and by the light of similar inscriptions of the same period (especially one at Hungerford) the words seem to be as follows:—

"✠ KY PATER NOSTER E AVE MARIA PUR LE ALME PUR FELEPPUR DE SALCEST [E] CRESTIENS DIRRA QUARANTE JURS DE PARDUN AVERA. AMEN." *i.e.*, "Whoso shall say a Paternoster and an Ave Maria for the souls of Philippa de Salcest and [all] Christians shall have 40 days of pardon. Amen." We have here the family name of *Salcet*, which (as just now mentioned) was corrupted into *Saucere* at Ashton.

There is in the British Museum (Addit. Charters 5691) a curious Latin document, dated A.D. 1470, relating to the chapel of St. George, at Semington: by which Robert Beauchamp, Bishop of Sarum, makes arrangements for the proper serving thereof by the Vicar of Steeple Ashton.

I have now reached the end of the history of the original manor of Ashton as it belonged before the Dissolution of monasteries, to the Abbess of Romsey.

The Abbey of Romsey, Abbesses, Nuns and all, have vanished hundreds of years ago; and their property has passed through various changes since that time. Part has gone one way, part another, but I shall not be far wrong, in saying that a very considerable share has been for many years held by the family, whose name is so familiar here, the House of Long.

Here you must all see the awkwardness of my position. If the House of Long had also become extinct, and had vanished away, it might, like the Abbess of Romsey, have been dealt with as a thing of the past. But so far from having vanished away, it is, on the contrary, in full vigour, still occupying an important place in the county of Wilts: and what is more, sitting at this very moment before me, face to face, in the person of one of its leading representatives. Notwithstanding this, I am compelled to speak of it historically: for though Rood Ashton and the other Ashtons are old

property enough, they are by no means the oldest property of the family of Long: as for instance, South Wraxal. This was Long's in 1433, and is Long's in 1872—439 years, without any intermission.

The pedigree of this Wiltshire family, in its various branches, fills three or four large printed sheets; so that you will hardly expect me to enter upon that subject. Nor do I consider it at all necessary, upon this occasion, to deal with it, except in a general way. It is a very difficult pedigree to follow, because there were so many branches and so many intermarriages. There were Longs of Wraxal, of Draycote (near Chippenham), of Whaddon, of Monkton in Broughton Gifford, of Semington, of Rood Ashton, of Trowbridge, and of Netheravon near Pewsey. The name itself occurs in Wiltshire at a very remote period, but the first person of known position as a landowner was Robert Long, of South Wraxal, M.P. for the county of Wilts in 1433. It has often been said that he was brought out under the influence of the then potent family of the Hungerfords of Farley Castle; that the Walter Lord Hungerford of the day, Lord Treasurer of England in Henry VI., preferred Robert Long to a good marriage, and obtained for him some land. I have never been able to make this old story clearly out. I have in my own possession copies of more than 1200 deeds relating to the Hungerford family and their estates. In them the name of Robert Long often occurs as a confidential friend, a trustee, feoffee, and so forth. But there is only one which in any way refers to land obtained for him by the Hungerford family; and that was not at South Wraxal, which never belonged to the Hungerfords, but it was merely a trifling affair of a lease at a place called Highchurch near Falkland, just beyond Philip's Norton. And as to the "good marriage" to which he was preferred, that point has been diligently enquired into: but I fear without perfect success. The matter is of course, at this time of day, of no very vital consequence; but as it relates to the very beginning of an old Wiltshire family, it is just one of those little obscurities which Wiltshire genealogists and archæologists would feel a pleasure in clearing up, if they could.

The first great division of Long family property, was, as is well known, the separation of the Wraxal and Draycote estates, which

originally, and for some generations were held together. This took place after the death of Sir Walter Long (owner of both), in 1610. The partition was never contemplated by him, but was obliged to be adopted, in order to settle a quarrel between his two sons. The circumstances attending this affair are curious: and as they come down to us through the pen of John Aubrey, who was born in 1626, (only 16 years after the death of the Sir Walter Long of 1610,) who lived in Wilts, between Wraxal and Draycote, was an intimate friend of the Long family and must have heard the story many times at their dinner-tables, we may presume that it is no invention of his, but a tradition of the time, neither explained nor at once contradicted, by the family themselves.

The Sir Walter Long, alluded to, had been married twice. Aubrey says that the second wife did her best to make the eldest son by the first wife odious to the father; and at last succeeded in getting the eldest son disinherited. The place where she got this done was Bath, where her brother, a lawyer, resided. The clerk who was engrossing the deed, had to sit up all night. As he was writing, he perceived a shadow on the parchment from the candle. He looked up, and saw—a white hand! It instantly vanished. He was startled, but having been very sleepy, he thought it might be only his fancy; so he went on writing. By and by, again the white hand interposed between the writing and the candle. He could perceive it was a woman's hand. Again it vanished. "I have forgot," says Aubrey, "It appeared a third time." With that the poor clerk threw down his pen, and would engross no more; but runs and tells his master and positively refuses to go on. However the deed was engrossed, Sir Walter signed and sealed it, and the son was disinherited. Sir Walter did not live long afterwards. As might be supposed, a dispute was the consequence: the younger son, who had got all, was obliged to compound. He kept Draycote, and the elder son got Wraxal. But this was not all. Retribution follows upon the second wife who had managed this little affair. She had made a promise to Sir Walter on his death-bed, that she would not marry a second time. But not long after, one Sir Edward Fox, a very beautiful young gentleman, did win her love; so that

notwithstanding her promise aforesaid, she married him. She married at South Wraxal, where, in the old manor-house, the picture of her first husband, painted on wood, hung over the parlour door. As Sir Edward Fox was leading his bride by the hand from the church, into the house, just as they passed through the parlour door, the string of the picture broke, and down upon her head came husband No. 1. The picture was cracked in the fall—and so was the lady's head. She remembered her promise; and it drew some tears from her eyes.

Draycote continued in the second house of Long, until only a few years ago, when it passed into the Wellesley family. Wraxal has remained, and still remains, in the representative of the elder house.

As to the rest of the various properties in this immediate neighbourhood belonging to the different branches of the Long family, it cannot be expected that I should enter into private details. It is enough just to say, that either by descent, by will, by marriage, or by purchase, they have in course of years (Draycote excepted) centred in one gentleman, the host, this afternoon, of the Wiltshire Archæological Society.

J. E. Jackson.

On Long Barrows and Round Barrows.

By John Thurnam, Esq., M.D., F.S.A.

Report of an Address delivered on Bratton Down, during an Excursion of the Society, August 8th, 1872.

Dr. THURNAM began by observing that the Barrow on and around which those present were now standing, though placed in the centre of the British encampment, popularly known as "Bratton Castle," is probably of much earlier date, and has none but an accidental connection with that earthwork. It is a Long Barrow

of large size, measuring 230 feet in length, lies east and west; and was opened by Dr. Thurnam in 1866. It belongs to the class of Long Barrows, a form of tumulus which differs essentially from the much more numerous Round Barrows, by which, on the Wiltshire Downs, they are everywhere surrounded. These latter, the Round Barrows, much more commonly than otherwise—at least three times as often—contain interments of burnt bodies, often accompanied by bronze weapons or implements, and especially bronze knives or daggers, and by ornaments of glass, amber, jet or shale, and gold. Sometimes there are flint and other stone implements, but these are all of a kind known to have been in use at the same time as those of bronze. The Round Barrows belong, essentially, and as a rule, to the *Bronze Age* of this country, and to an age of burning the dead. When the interment is that of the unburnt body—which, in Wiltshire, is less than one in four—the body has been buried with the knees bent and drawn up towards the chest. That the burnt and unburnt interments are of one and the same period is proved by the similarity, or rather identity, of the accompanying implements and ornaments.

The Long Barrows differ *in toto* from those of the circular form, and belong to a different and earlier epoch. From their usually great size, with one end only devoted to interment, they may be quite as much or even more properly regarded as monuments than as mere tombs. They very commonly measure from 200 to 250 feet in length, and in rare cases even 300 or 400 feet. They seldom exceed ten feet in height, and are wider and higher at one end than at the other—usually that pointing to the east; though at times, they range north and south, in which case the south end is of larger size. It is at this larger end, under what we may term the apex of the tumulus, that the interments are found, on or but little below the natural level of the ground. At each side of the barrow is a trench, whence great part of the material of which the barrow consists has been derived; which trenches, it is remarkable, are not continued round the ends of the barrow. From the great size of the Long Barrows, and the often uncertain position of the apex, their exploration is attended with great labour and difficulty, and hence only a comparatively small number have been explored. About

fifteen of those in South Wiltshire were excavated by the elder Cunnington and Sir Richard Hoare, and more recently rather more than that number by Dr. Thurnam. From these data a tolerably complete view of the character of these barrows has been obtained.[1] Usually—in at least six cases out of seven—the interments consist of unburnt bodies. Sometimes, there is a single skeleton doubled up; but more commonly a pile of many skeletons, as many perhaps as ten or twenty in number, the bones mixed promiscuously, as if removed from some prior place of burial. The greater part of the skulls are cleft, and many of the long bones split, as if the majority of those interred had been immolated, in honour perhaps of a deceased chieftain, and as if not alone human sacrifice, but cannibalism likewise, had been resorted to. In rare cases (and the Long Barrow round which they were now gathered was one), the body or bodies had been burnt, but the cremation was of a peculiar and imperfect sort, the bones being charred, rather than completely burnt like those in the Round Barrows. In one instance, that of the largest Long Barrow in South Wilts, that of Tilshead Old Ditch, which measures 380ft. in length, and was imperfectly explored in 1802, Dr. Thurnam in 1865, found the true primary interment, at a depth of ten feet, consisting of one imperfectly burnt body, and immediately adjacent a doubled-up unburnt skeleton, that of a woman of small stature, the skull bearing indisputable marks of having been violently cleft before burial, and doubtless during life. The burnt body must be regarded as that of the chief, the unburnt one as that of the wife or female slave, slaughtered that she might accompany her lord to the land of spirits.

In the Long Barrow at Bratton, however, the primary interment consisted of burnt remains alone. At the beginning of this century, Mr. Cunnington made two attempts on this tumulus. "At first he cut a section nine feet long and five wide, and found black vegetable earth for the depth of five feet intermixed with pottery and animal bones. On one side of the section, at the depth of four feet, he discovered a pile of pebble stones (probably brought from Codford,

[1] Archæologia. Vol. xlii., p. 169.

for use as sling-stones) and a large stone bead." This excavation seems to have been made near the centre of the barrow, before Mr. Cunnington had ascertained that the interments in Long Barrows are almost always at the larger, generally the eastern, end. "At a subsequent period, Mr. Cunnington employed his men for several days in examining the large end of this barrow, but he only discovered the remains of three skeletons (a secondary interment) near the top."[1] In 1866, Dr. Thurnam's "working-party made two large openings at the extreme east end, and in the more westerly of the two, on the natural level, at a depth of 8½ ft. and only one or two feet from the point where Mr. Cunnington's excavations appear to have been left off, was a heap of imperfectly burnt, or rather charred, human bones, as many, perhaps, as would be left by the incineration of one or at the most, two adult bodies. Careful search was made for an entire unburnt skeleton or skeletons, but without success."

With the primary interments in Long Barrows no weapons or implements of bronze or other metal are ever found, but occasionally leaf-shaped arrow-heads and other implements of flint. Long Barrows belong essentially to the *Stone Age* of this country, and are to be regarded as the very earliest of our sepulchral monuments.

The Long Barrows described by Dr. Thurnam were of the simple, unchambered sort, such as are alone found in South Wiltshire, and on the chalk downs of other parts of the South of England. In North Wiltshire and Gloucestershire, however, where we have either Sarsen stones of large size on the surface, or else quarries of oolitic stone, Long Barrows in other respects similar to those of South Wilts, but with Chambers built up under their broad ends, are met with. In them are found numerous skeletons, many with the skull cleft, ranged around the walls of the chambers, in the crouching attitude. Here also is the same absence of metallic implements, but the presence of those of stone. The striking analogy of these Chambered Long Barrows to the so-called "Giant Chambers" of the Scandinavian countries was pointed out.

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[1] Ancient Wilts. Vol. i., p. 55.

As elsewhere shown,[1] the skulls from the long barrows of Wiltshire are remarkable for their long and narrow form, and the skeletons are those of a people of short stature. The skulls from the round barrows, on the contrary, are in general short and broad, and the skeletons those of a people at least somewhat above the middle size.

THE portraits of Penruddock and Grove in the present number are copies, by the Heliotype process, from photographs. For accuracy they may be depended upon; but allowance must be made for the fact that the "mellow tones" of old paintings, however beautiful in themselves, cannot be reproduced in photography.

The Society is much indebted to Miss Chafyn Grove, and Mr. Penruddocke for the loan of the original portraits.

Donations to the Museum and Library.

The Council have great pleasure in acknowledging the following Donations to the Museum and Library:—

To the Building Fund—

	£	s.	d.		£	s.	d.
Most Hon. the Marquis of Ailesbury	50	0	0	Walter Powell, Esq., M.P.	5	0	0
W. H. Poynder, Esq.	25	0	0	Rev. Canon Parfitt	3	3	0
William Stancomb, Esq.	10	0	0	S. Dodd, Esq.	1	1	0
Marchesa de S. Agatha	5	0	0	Rev C. M. Mc.Niven.	1	0	0

From WADHAM LOCKE, Esq., the Seend Stone used in front of the Museum building.

From Mrs. KENRICK, a curious globular padlock and key, of iron. A bronze Roman ring with antique gem. A bronze finger ring.

From Admiral MONTAGU, Description of Admiral Keppell's freedom box, 1779, Quarto. Trial of Admiral Keppell, 1779, Quarto. Trial of Sir Hugh Pelisser, Quarto.

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[1] Some account of the Blackmore Museum, Opening Meeting, 1867, p. 38.

From Mr. JAMES BROWN, Photograph of Urns and Implements found in a Barrow at Dewlish, Dorset, 1871.

From Dr. HIGHMORE, Token of John Gage, of Bradford, 1649.

From Mr. J. ELLEN, Token of the Spa at Holt, Wilts.

From Sir W. ELLIOT, K.S.I., F.L.S., his Address as President of the Botanical Society of Edinburgh, 1871.

From JOHN GODWIN, Esq., four Engravings, in frames, of Malmesbury Abbey.

From E. B. ANSTIE, Esq., Painting of the Great Bustard, by J. Grant.

From H. N. GODDARD, Esq., Photolithograph of the Doomsday Book for Wiltshire. Folio.

The Annual Report of the "Board of Regents of the Smithsonian Institution, Washington, for 1870;" published by command of the Congress of the United States, has been forwarded to the Society; and the Council has voted that a copy of Canon Jackson's Aubrey be forwarded to the Smithsonian Institution in acknowledgement of the courtesy.

Annual Report of Belfast Naturalists' Club. 1868 to 1872. 4 Vols., Octavo.

Proceedings of Somersetshire Archæological and Natural History Society for 1871. Octavo.

The Rev. G. S. MASTER has kindly presented to the Society the Illustration of his paper in the present number of the Magazine.

The thanks of the Society are also due to the Rev. W. H. JONES for the use of the plate of the Saxon Chapel.

END OF VOL. XIII.

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